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## University of Arkansas School of Law Catalog of Studies, 2004-2005

University of Arkansas, Fayetteville

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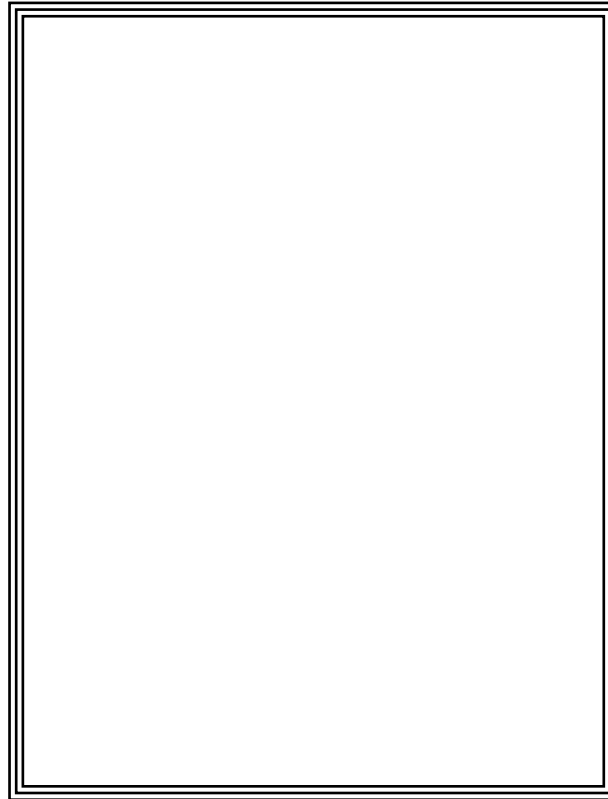
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# University of Arkansas School of Law Catalog of Studies 2004-2005



# University of Arkansas School of Law

## Catalog of Studies 2004-2005

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The University of Arkansas School of Law will begin construction this fall of an addition consisting of more than 30,000 square feet, at a cost of approximately \$5,500,000. The project includes four new state of the art classrooms, additional library space, and a dramatic new entrance to the Law School. At the left is a rendition of a portion of the project. *Rendition courtesy of Cromwell and Associates.*

### About this Catalog

The Catalog is published annually by the University of Arkansas School of Law, Fayetteville. Schedules of classes for each semester must be consulted for courses to be offered during a given semester. The frequency of offering of each course is determined by the Law School as program needs dictate, with no assurance that a given course will be offered every year. The summaries of courses and prerequisites, when stated here, are meant to serve as a guide to degree program planning and are subject to change over time.

This catalog presents specific information about the University of Arkansas School of Law for the prospective student. Information is given concerning admission requirements, registration fees, curricula offered, degrees granted, and course descriptions. The information presented is accurate at the time of completion; however, this publication is not an offer to enter into a contract. Regulations, fees, programs of study, and individual courses are regularly revised and the catalog information is thus subject to change. The University of Arkansas School of Law reserves the right to change any provision or requirement at any time, without notice.



The University of Arkansas is committed to the policy of providing educational opportunities to all qualified students regardless of their economic or social status and will not discriminate on the basis of race, color, sex, creed, sexual orientation, disability, veteran's status, age, marital or parental status, or national origin.



# We have what you are looking for at the University of Arkansas School of Law.



## A VERY GOOD VALUE

The University of Arkansas School of Law is a "Very Good Value," as recognized in the 2004 issue of *The National Jurist*, a nationally distributed magazine for persons contemplating the study of law or currently enrolled as law students. The magazine considered six factors in deciding upon appropriate rankings, using the latest complete set of American Bar Association data available. The School of Law has consistently ranked as one of the best public law schools in the country in publications such as *The National Jurist* and *U.S. News & World Report*.

## EXCELLENT STUDENT-FACULTY INTERACTIONS

The School of Law boasts one of the best student-faculty ratios in the country, which enables us to offer a wide range of upper-level electives taught in small or sections. Outside of a handful of basic courses that traditionally have larger enrollments, the average enrollment in an upper-level elective is about 25 to 30 students, with many classes much smaller than this. This allows a level of student-faculty interaction that is simply not possible when classes are taught to huge numbers of students at the same time.



## TRUE SENSE OF COMMUNITY

At the University of Arkansas School of Law, we start with a long-standing tradition of respect, recognition and regular interaction between our faculty and students. Faculty and students can be found participating in fund raising activities and other events to help local charities. Our Student Bar Association sponsors an annual auction at which items donated by faculty members are auctioned with proceeds going to local charities. In addition, most faculty committees include student representation and participation.



## A WINNING TRADITION IN INTERSCHOOL COMPETITIONS

Students are offered an extraordinary opportunity to compete in intra- and inter-school competitions at the School of Law through the student-run Board of Advocates which encourages the development of oral advocacy and lawyering skills through local, regional and national competitions. In 2003-04 we sent 30 winning students to participate in 10 regional and national competitions, winning several awards in appellate advocacy and trial competitions.

## OUTSTANDING BAR PASSAGE AND JOB PLACEMENT

While the Law School strives primarily to train students to be first-rate lawyers, the same training enables our students to do very well on the bar exam. In 2003, the pass rate for UA law graduates taking the Arkansas bar exam for the first time was 79.7% compared to an overall pass rate of 70.1%. Graduates and students at the School of Law are highly sought after by employers all over with 94% of our 2003 graduates employed.



## NATIONAL RANKING

The University of Arkansas School of Law was once again ranked in the Top 100 by *U.S. News & World Report* in 2004. The rankings are based on two types of data: expert opinion about program quality and statistical indicators that measure the quality of a school's faculty, research and students. While we recognize that too much can be made of rankings such as these, they can provide an indication of the growing national reputation of programs and graduates.

## LOCATION, LOCATION, LOCATION

Located in Fayetteville, Arkansas, the School of Law is in one of the most beautiful college towns in the country. With a current population of approximately 60,000 people, Fayetteville and the surrounding area has numerous parks, state forests, and numerous lakes and rivers nearby for hiking, camping, fishing and canoeing. Fayetteville also offers typical American suburban shopping in a large mall as well as restaurants for every kind of taste.

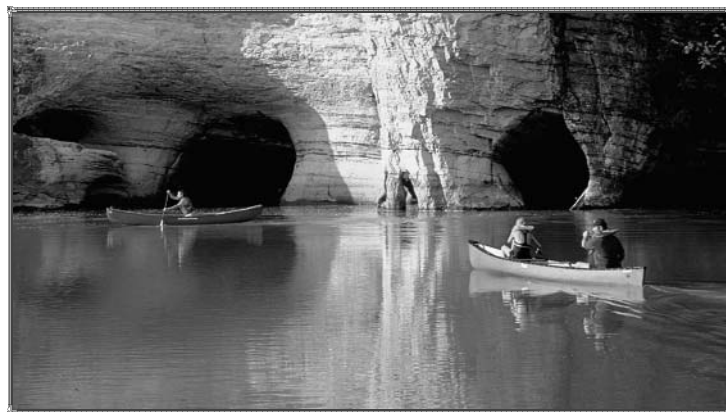


Photo courtesy of Fayetteville Advertising and Promotion Commission

The University of Arkansas School of Law is enjoying a growing national recognition of the quality of legal education we offer. In 2004 *The National Jurist* placed us among a select group of public law schools it regarded as a "Very Good Value" and *U.S. News & World Report* once again ranked us among the Top 100 law schools in the nation. We are proud to note as well that *The National Jurist* identified us as 13th out of 172 law schools in success in improving gender and ethnic diversity over the ten year period 1993-2003. We have every intention of seizing the opportunities this momentum provides.



Dean Richard B. Atkinson

## Law School Addition

Groundbreaking for a \$5.5 million addition to the University Arkansas School of Law is planned for the Fall of 2004. Adding more than 30,000 square feet to the existing facilities, the project will house additional library space, including a new computer lab and student-oriented reading and work areas; four state of the art classrooms which will be set up to take full advantage of modern technology; and a dramatic new entrance to the Law School.

The new entry will face the mall to the south, looking out over the Student Union and Mullins Library. It will be named for one of the Law School's most outstanding and successful alumnae, Norma Lea Beasley ('53), whose generous support helped to make this building project a reality.

By the time this Catalog is distributed it is likely that these plans will have been further expanded to include a courtroom with seating capacity for 200, as well as classroom and office space for our Agricultural Law programs. This would add yet another 20,000 square feet and bring the total investment in the addition to approximately \$10 million.

This addition will constitute a true milestone in the life of the Law School, not only literally transforming the appearance of the building but also enhancing substantially the learning environment within it.

## Students

Applications to the Law School have soared, more than doubling in the past few years. The Law School had 1,270 students apply for the approximately 150 spaces available for new students in the fall of 2004. With respect to grades and LSAT scores, this class will almost certainly prove to be the strongest to date in the history of

the Law School. New students will be joining an especially talented group of men and women who will help challenge each other to reach their full potential.

The sense of community in the Law School extends beyond the classroom. There is a strong sense of camaraderie among the students here that brings people together on the intramural fields, at a Habitat for Humanity project, at the Race for the Cure, and on Dickson Street, a place of music, food and laughter that embodies the spirit of a true college town.

Many organizations like the Student Bar Association, the Black Law Students Association, and the Christian Legal Society, have long been part of the landscape of community here. That they have been joined recently by groups like Lambda, the Federalist Society, and Equal Justice Works provides witness to the diversity, openness and dynamism of the student body.

Students this year have provided great leadership in myriad organizations. Allow me to provide just a few examples. The Board of Advocates, a student-run group which oversees our extraordinarily successful skills competitions programs, had a landmark year, sending a total of 30 students to participate in 10 regional and national competitions, winning awards in appellate advocacy and trial competitions, and performing at the highest levels in negotiations and client counseling.

The *Arkansas Law Review* put out four issues this year, marked by a quality which is garnering praise from practitioners and academicians alike. This fall we will publish the inaugural issue of a second journal, the *Journal of Food Law and Policy*, the first student-edited journal in the nation to focus on issues related to food law. This is particularly exciting to those students helping to plan the inaugural year.

## Faculty

Among the factors contributing to this success is one of the most favorable teacher-student ratios in the country. It is part of the culture here for teachers to do much of their research and class preparation in the building rather than at home or other off-site locations as is often common elsewhere. When coupled with the prevailing open-door policy, this creates real accessibility for students.

The faculty is also diverse with respect to race, gender and geography and is drawn from graduates of law schools spanning the continent, including Yale, Harvard, NYU, Columbia, George Washington, Howard, Maryland and Florida on the East coast and UC-Davis and Loyola on the West, with strong representation of the heartland institu-

tions in between. Many came planning to begin their academic careers in Fayetteville and then to move on to more charted territories but have instead put down roots here, charmed by the beauty of the area, engaged by the quality and character of the student body, and nourished by the sense of community that exists in the Law School.

The tradition of faculty members offering public service at both the state and national level is both long and deep. President Bill Clinton, Senator Hillary Rodham Clinton, Senator William Fulbright, and Representative Claude Pepper were all members of this faculty. In 2002, the Arkansas Bar Association presented one of its highest awards to Professor John Watkins for his outstanding service to the bar and the judiciary. In 2003, Professor Howard Brill was similarly honored.

Following the tradition of Professor Robert A. Leflar, faculty scholarship continues to be impressive. Recent publications include treatises on Arkansas law, national textbooks, and myriad law review articles placed in law reviews across the nation and the world.

## Alumni

The Law School celebrates its alumni, which include U.S. Senators and Representatives, Governors, many federal and state judges, managing partners at major law firms, chief executive officers of large companies, professors, outstanding litigators, corporate counsel for national corporations, and community activists. Within the last few years for example, Asa Hutchinson ('75), was appointed the first Undersecretary for Border and Transportation Security of the Homeland Security Department; Mark Pryor ('88) was elected United States Senator; Mike Beebe ('72) was elected Arkansas Attorney General; Tom Mars ('85) became chief legal counsel for Wal-Mart; and Judge Lavenski Smith ('87) was appointed to the United States Court of Appeals (8th Circuit).

## History

The University of Arkansas, which was established in Fayetteville in 1871, currently has approximately 16,000 students enrolled. The School of Law was founded at the Fayetteville campus of the University of Arkansas in 1924.

Blending the traditions of a land-grant higher education institution with the study of legal issues as contemporary as the day's headlines, the University of Arkansas School of Law provides a wealth of opportunities for students pursuing diverse legal careers.

## Special Programs

As mentioned in detail throughout this catalog, the School of Law offers a wide array of special programs to allow students from all walks of life, with all sorts of learning styles, and with a wide variety of career goals to benefit from their experience here. The Legal Writing Program allows students to develop their writing skills from the very first semester they are enrolled. Our graduate law program in

Agricultural Law is the only one of its kind in the United States. We have a clinical program that helps law students begin the transition from law student to practicing lawyer by offering a variety of real-world experiences to upper-level students. The Career Planning and Placement Office at the University of Arkansas School of Law provides a wealth of resources to assist students and alumni in obtaining employment and has traditionally achieved outstanding results for our graduates.

## Fayetteville and Northwest Arkansas

*Forbes* has recently ranked Fayetteville as its third best small community for business and careers for 2003. Northwest Arkansas is a diverse region of connected communities and neighborhoods and forms one of the six fastest growing areas of the United States with great cultural and shopping amenities, and some of the best outdoor recreation available anywhere.

Five cities with metro populations over a million are less than a half-day's drive away. Interstate 540/71 provides an uninterrupted connection between Kansas City in the north and I-40 to the south. The Highway 412 corridor makes Northwest Arkansas the crossroads between Oklahoma City and Tulsa in the west and provides scenic travel to some of the state's top outdoor recreation locations to the east.



Professor Kathryn Sampson poses for a picture following an impromptu reception for Professor John Watkins last spring. Professor Watkins, for many years a valued member of the Law School faculty, will be taking a leave of absence for the 2004-05 school year.

# The University of Arkansas School of Law

The University of Arkansas School of Law strives to be a student-oriented community, responsive to the needs and interests of our students. The learning experience at the School of Law depends on this sense of community among students, faculty and staff. Comfortable study areas, easy access to resources, and friendly interaction between members of the Law School community in and outside the classroom, combined with small average class size, provide a positive and effective learning environment. Being a small school with no separate evening or part-time divisions allows interaction with students on a more personal level, further supporting that sense of community.

The Leflar Law Center facility includes two buildings, both of which are located at the corners of Garland Avenue and Maple Street on the UA campus in scenic Fayetteville, Arkansas. Waterman Hall, which also houses the Young Law Library, includes courtroom space, classrooms and seminar rooms, student lounges, space for student organizations, and offices for faculty and staff. The Law Programs Center houses the legal clinics, the National Center for Agricultural Law, and the Arkansas Law Review.

In recent years, the student lounges and study spaces have been renovated and updated, and carpeting and furniture have been replaced throughout the building. Picnic tables were also added to the courtyard area. In addition to the cosmetic improvements, the school's electronic and technological infrastructure was recently modified with the support of a generous gift of more than \$500,000 from alumnus Ron LeMay ('72). We now have wireless internet available throughout the Law School, and classrooms also have electrical outlets to permit the use of laptops.

The Young Law Library, named for benefactors, contains more than 270,000 volumes. The collection is expanding at a rate of approximately 7,000 volumes a year. The case reports and statutes in the library cover every American jurisdiction, and there is an up-to-date and complete collection of legal encyclopedias, digests, treatises, law reviews, reports of administrative agencies, and other government publications. The Young Law Library is a depository for federal and state government documents, as well as United Nations materials. Court records and documents are also available through the library. Included in the library is a growing collection of agricultural law materials developed with the assistance of the National Center for Agricultural Law Research & Information.

Law students researching legal problems may use not only the above described "traditional" legal materials but also computer-assisted legal research. Various on-line databases are available to students, including LOISLAW, LEXIS and WESTLAW.

The primary goal of the University of Arkansas School of Law is to prepare lawyers who will render high-quality professional service to their clients, who are interested in and capable of advancing legal progress and reform, and who are prepared to fill the vital role of lawyer as community leader. It is generally recognized that there are a number of important

skills and qualities every lawyer should possess, and the major objectives of legal study at the University of Arkansas School of Law are to see that all of our graduates possess these skills and qualities upon completion of their legal studies.

These objectives can best be realized by a competent and dedicated full-time faculty working in partnership with an interested and involved bench and bar. The Law School is proud to boast one of the best faculty-student ratios in the country, which means that students are in a position to benefit from more intensive and personalized relationships with faculty members. In addition, the faculty and administrative staff at the Law School strive to maintain mutually beneficial relationships with judges and practicing lawyers, so that our students can benefit from their wisdom and expertise.

While only full-time faculty members teach first-year courses and other required substantive law courses, practice skills courses such as the Trial Advocacy and Solo Practice Planning, and activities such as skills competitions and moot court, depend on the assistance of the practicing bar. In addition, appellate courts, including the Arkansas Supreme Court, periodically schedule cases at the Law School. The judges meet with students informally after the arguments.

We also have regular interaction with representatives from Arkansas Bar Association committees and other professional groups, including the Arkansas Trial Lawyers Association and the Arkansas Board of Bar Examiners. Afternoon symposia and other presentations also feature practicing lawyers, who offer their insights on a wide range of topics, including trial practice, public interest law, and judicial internships. Students are encouraged to meet with such groups when they visit the Law School.

Legal training involves learning legal rules and principles through discussion, and various lawyering skills by observation and practice. The student must be, by definition, an active participant in that process. The "case method" is the basic tool of traditional American legal education. This method involves the study and discussion of litigated cases. The teacher calls upon the student to respond in a stimulating question-and-answer dialogue, frequently involving several class members and often including more questions than answers. The learning experience occurs not only in the interchange between teacher and student but also among the students themselves. The perceptive student will soon learn that a key to the realization of maximum benefit from these interchanges is the ability to listen with discrimination.

This process, applied skillfully by expert teachers and by students possessing a sense of awareness and curiosity, hones the minds of students, develops their respect for facts and creates a sensitivity to essential differences among issues, policies, reasons and arguments. Intensive and consistent daily preparation is necessary for students to participate effectively in this process.

In addition, we encourage innovative teaching techniques. We have faculty members who utilize



Power Point presentations and similar technology in the classroom. We have teachers who regularly rely on hypothetical problems to illustrate the way the law is being applied or is evolving over time. Others utilize simulated client-based exercises, particularly in our extensive and growing inventory of skills classes. We recognize that students have different learning styles, and such diverse teaching methods should allow everyone in the Law School to benefit from the educational experience.

The University of Arkansas School of Law also has a strong sense of responsibility to the people of Arkansas. Thus, members of the faculty and student body are active in extensive public service activities. Legal counsel to the indigent is provided through the Law School's clinical education program and by special court appointments from time to time. Students and faculty also serve on bar, civic, and legislative committees and task forces. A number of faculty and students contribute time and expertise to state agencies and law reform groups. These activities offer students a real-world laboratory of legal work, while simultaneously enabling the University of Arkansas School of Law to be of service to the people of Arkansas.

Certain aspects of our curriculum have been widely hailed by other educators, our students and alumni, and are described here as being illustrative of the type of experience available at the University of Arkansas School of Law.

## The Legal Research and Writing Program

Legal Research and Writing at the University of Arkansas School of Law is taught by a highly skilled cadre of professionals who are full time members of the faculty. Students are assigned to relatively small sections in their first year, and work with the same faculty member for the entire year, in both Legal Research and Writing I and II. Legal research instruction is integrated with writing and analysis directed towards solving hypothetical clients' problems. Students have the opportunity to obtain intensive, personalized feedback on their research, reasoning, and analytical skills, as evidenced in their written products. All students have individual conferences with their legal writing professors, and are offered the benefit of detailed comments on preliminary drafts of graded projects. Because communication skills and written communication, in particular, are central to the professional success of every attorney, we also have a required third semester of legal research and writing to be taken by each student before the end of their second year. This class is taught in very small sections of no more than 15 students, so that there is plenty of time for individual feedback and conferences as needed. The fact that the Law School requires that all students take 7 hours of legal writing classes which are graded and fully integrated into the curriculum reflects the importance of written communication skills in the legal profession and helps distinguish our program from that at many other institutions.

## The Clinical Experience

Of increasing importance in legal education is the role of practical, on-the-job training involving the legal problems of actual clients. Legal Clinic courses provide valuable client counseling experience, as well as participation in actual trials and appeals under the supervision of a member of the faculty who is a licensed attorney. The Clinic has offices in the Law Programs

Center located across the street from Waterman Hall; representation is provided for certain indigent local residents and students. For the 2004-05 academic year, we will offer a civil clinic, a criminal prosecution clinic, a criminal defense clinic, a federal practice clinic, and a general practice clinic. Plans are also under way for a transactional clinic.

## Skills Training

The Law School is particularly proud of its growing inventory of skills classes, each of which is designed to train students in practical lawyering skills such as client interviewing, counseling, negotiation, arbitration, trial and pre-trial advocacy, appellate arguments (both oral and written), and drafting. Each of the skills classes offered in the curriculum provide the students with the opportunity to practice and hone their legal skills in the context of simulated, client-based exercises. Every student is required to take at least one certified skills class prior to graduation, although many of our students take more than one of these innovative and practical classes.

## Board of Advocates and Skills Competitions

The University of Arkansas School of Law also encourages its students to learn important lawyering skills through participation in one or more skills competitions, which are generally overseen by the student-run Board of Advocates. The Law School participates in both intra- and inter-school competitions involving negotiations, client counseling, trial advocacy and appellate moot court. A substantial majority of our students participate in at least one of our very successful skills competitions during their time here.

## Individual Research

There are instances where students develop an interest in topics of study which are not emphasized in regularly taught classes at the School of Law. During the second and third years of Law School, students are permitted to engage in research and writing projects for credit under the supervision of, and in consultation with, a selected faculty member, in an area of particular interest to the student. Faculty members are generally very willing to work with qualified students on such projects.

## Pre-Law Study

No pre-law curriculum is prescribed at the University of Arkansas School of Law or at any other American law school. Experience shows that students do equally well, both in law school and in law practice, regardless of their differing educational backgrounds. As a result, no single "pre-law major" is required or even recommended. Students in a position to structure their college curricula should select courses that emphasize analytical and problem-solving skills and courses in which written work is vigorously edited. The University of Arkansas School of Law admits applicants from a wide variety of college majors. The resulting diversity enhances and enriches the educational experience of all students.

**T**he University of Arkansas School of Law admits one beginning class in August of each year. Applications for admission may be obtained from the Office of Admissions, Robert A. Leflar Law Center, University of Arkansas, Fayetteville, AR 72701; (479) 575-3102. Applications are available online at [www.law.uark.edu](http://www.law.uark.edu).

Applications should be completed as early as possible. While applications are considered as long as there are openings in the entering class, few applications received after April 1 receive favorable action.

The admissions process at Arkansas is a continuing one. As test reports and scores are received, admissions decisions are made. It is impossible to give a final decision on some applicants until late spring.

An applicant whose admission has been approved will receive a Tentative Admission Notice. The applicant will be required to deposit a \$75 pre-registration fee. This non-refundable fee is applied to regular semester registration fees.

## General Information

Except for students in the "3/3 Programs" described later, applicants must have completed all requirements for a bachelor's degree from an accredited institution prior to the date of enrolling in the Law School.

All applicants must take the Law School Admission Test (LSAT) administered by the Law School Admission Services.

There is no predetermined satisfactory grade-point average or law school admission test score. Admission is on a selective basis.

Admission of most students is based on the applicant's undergraduate grade-point average and his or her LSAT test score; however, the School of Law also seeks a diverse student body with a broad set of backgrounds, interests, life experiences, perspectives, qualifications and career objectives. In selecting a small percentage of applicants, therefore, the Admissions Committee may consider a number of factors relevant to a determination of how the applicant might contribute to such diversity within the School of Law.

While admissions personnel are happy to answer any questions that an applicant may have, the interview as a device for the applicant to "sell" herself or himself is not a part of the admissions process. The Admissions Committee works only with the written materials in an applicant's file.

## Other Admissions Information

Persons who have attended other law schools should not follow the above procedure but should

apply to the School of Law as a transfer student, indicating previous attendance at another school. Failure to indicate such attendance will automatically void a tentative admission granted to the applicant.

A student may not register in the School of Law for any course without first complying with all admissions requirements for regular law students.

## LSAT

The Law School Admission Test (LSAT) is given four times a year in Fayetteville and at other locations throughout Arkansas, as well as in other states. Arrangements may be made by writing to Law School Admissions Services, Box 2000, Newtown, PA 18940. Applicants for admission are urged to take the test at least nine months prior to expected entrance to Law School.

## LSDAS

The University of Arkansas participates in the Law School Data Assembly Service (LSDAS). The LSAT/LSDAS Registration Packet may be obtained by writing directly to Law School Admissions Services, Box 2000, Newtown, PA 18940. The packet includes instructions for providing transcripts of scholastic work for analysis by the LSDAS. The applicant should see that the LSAT score and LSDAS reports are sent to this school.

## 3/3 Program - Arts & Sciences

The School of Law and the J. William Fulbright College of Arts and Sciences of the University of Arkansas, Fayetteville, have agreed on a program that will enable outstanding students to enter this Law School after their third year of college. Students in the Fulbright College of Arts and Sciences are eligible to begin Law School here after the completion of at least 94 hours of college work if:

1. they have completed all university, college, and major course requirements for their undergraduate degree;
2. they have a cumulative grade-point average of at least 3.50; and
3. their LSAT score is at least 159.

Such students will receive a Bachelor of Arts or Bachelor of Science degree after the completion of sufficient hours of Law School work to meet the regular requirements of Fulbright College. These students will then receive a J.D. degree after completing the required number of hours of Law School work.

## 3/3 Program Agriculture

Exceptional students in the pre-law concentration in the Dale Bumpers College of Agricultural, Food and Life Sciences may enroll in the School of Law in their fourth year provided the following requirements have been met. The students must have:

1. completed all university, college, and major course requirements for the pre-law concentration;
2. completed 12 hours in the specialization list for pre-law;
3. a cumulative grade-point average of at least 3.50 without grade renewal; and
4. an LSAT score of at least 159.

A student admitted to this program may substitute Law School course work for the remaining total hours required for the bachelor's degree in agricultural business.

It is a requirement of the Law School's accrediting standards that no student be admitted to the Law School until they have completed at least three-fourths of the work necessary for the baccalaureate degree. The requirements embodied in the 3/3 programs satisfy this requirement.

## Joint J.D./M.A. Program

The School of Law and the Department of Political Science provide a dual J.D./M.A. in International Law and Politics. This program's students must be admitted both to the School of Law and the Graduate School, Department of Political Science.

A maximum of 12 hours of approved, upper-level elective law courses may be used as credit toward the M.A. and a maximum of nine hours of approved graduate courses in political science may be used as credit toward the J.D. degree - reducing the time necessary to complete both degrees by about one academic year. The M.A. program offers a six-hour thesis or a paid, six-month internship option designed to prepare students for a career in international politics or law.

The 12 hours of M.A. courses taken in the School of Law must relate to the study of international law and be approved by the student's M.A. advisor and the Law School's Associate Dean of Academic Affairs. The nine hours of

approved graduate courses in political science may include: Comparative Political Analysis; Seminar in International Politics; Seminar in Contemporary Problems; International Political Economy; and ECON 4633, International Trade Policy. Other political science and graduate-level courses may be taken by permission. Paid internship credits cannot be applied toward the juris doctorate.

## Joint J.D./M.B.A. Program

The School of Law and the College of Business Administration cooperate in offering an opportunity for a student to pursue the J.D. and the Master of Business Administration degrees (M.B.A.) concurrently. Students working to pursue their degrees concurrently must gain admission to both the School of Law and the Graduate School and be accepted in the program of study leading to the M.B.A. degree. If the student is accepted into both programs, a maximum of six hours of approved, upper-level elective law courses may be used as duplicate credit toward the M.B.A. degree and a maximum of six hours of approved graduate courses in business administration may be used as duplicate credit toward the J.D. degree, reducing the time necessary for completion of the degrees.

## Joint J.D./M.P.A. Program

The Department of Political Science, the Graduate School, and the School of Law cooperate in offering a dual degree program that allows a student to pursue the Master of Public Administration (M.P.A.) and the J.D. degrees concurrently. Students must be admitted to the M.P.A. program, the School of Law, and the dual degree program. If a student seeks to enter the dual degree program after enrolling in either the Law School or the M.P.A. program, he or she must obtain admission to the other degree program and the dual program during the first year of study.

The School of Law accepts a maximum of nine hours of M.P.A. courses to satisfy requirements for the J.D. degree. To qualify for J.D. credit, the M.P.A. courses must come from a set of core courses and must be approved by

the Law School. For purposes of the M.P.A. degree, 15 hours of elective courses may be taken in the Law School, subject to approval by the director of the M.P.A. program. Students must earn a grade of B or higher in any M.P.A. courses offered for credit toward the J.D.

Students admitted to the dual degree program may commence studies in either the Law School or the M.P.A. program but must complete first-year course requirements before taking courses in the other degree program. If they do not maintain the academic or ethical standards of either degree program, students can be terminated from the dual degree program. Students in good standing in one degree program but not the other may be allowed to continue in the program in which they have good standing by meeting that program's degree requirements.

If for any reason a student admitted to the dual degree program does not complete the M.P.A. degree, accumulated hours of M.P.A. courses will not count toward the J.D. degree. Likewise, M.P.A. students may not be able to count certain courses once they discontinue their Law School studies. The J.D. will be awarded upon completion of all degree requirements; the M.P.A. will be awarded upon completion of a comprehensive examination and internship (and internship report) or six hours of additional course work.

## Financial Information

Students are expected to make sufficient financial arrangements for the first year of study without the necessity of seeking employment. All law students are required to be full-time students and no law student is permitted more than 20 hours per week of outside employment. First-year students are expected to adhere to a standard curriculum. A few courses in the upper division curriculum are also required.

The University of Arkansas annually awards more than \$60 million in financial aid and scholarships to its students. Financial aid is divided into categories of grants, work, loans and scholarships. The Free Application for Federal Student Aid (FAFSA), which analyzes the ability of the student's family to pay for college, is required in the University financial aid application

process. Scholarships given annually to law students are listed elsewhere in this publication.

Special criteria exist for determining whether law or graduate students are making satisfactory academic progress. Students pursuing a law degree may receive financial aid through the federally supported programs (if otherwise qualified) as long as they meet the school's academic requirements.

Applications for financial aid can be obtained from the Financial Aid Office, Room 114, Silas H. Hunt Hall, University of Arkansas, Fayetteville, Arkansas 72701. The telephone number is (479) 575-3806, the website is <http://www.uark.edu/admin/fininfo/>. This information must be submitted to the Student Financial Aid office by April 1. Current fees and costs are listed later in this catalog.

## Student Employment

The study of law at the University of Arkansas School of Law is a full-time endeavor. Under the accreditation standards of the American Bar Association, the Law School program must "require substantially the full working time of its students."

First-year students are asked not to carry the double load of Law School studies and part-time employment.

Although part-time employment of second- and third-year students in the school year is not encouraged, sometimes it is necessary. A number of Washington County attorneys regularly employ law students for part-time work. The Law School's Career Planning and Placement Office is of assistance in informing students of these opportunities. Additionally, the Law School has a number of part-time jobs available as library assistants and student research assistants.

How much part-time work a second- or third-year student can undertake obviously depends on the student's capabilities and the nature of the work. The Law School strongly discourages extensive outside work during the school year, and employment of more than 20 hours per week is not permitted.

## Work-Study

The University administers work opportunities under the federal College Work-Study Program. Law students may also use their work-study funding to work in several public interest legal organizations, including the offices of Legal Aid of Arkansas, the Young Law Library, the Washington County Public Defender and other community service positions. Requests for applications should be directed to the University Financial Aid Office.

## Transfer Students

A law student who has received a degree from an approved college and has completed work with satisfactory scholarship in a law school accredited by the American Bar Association is eligible to be considered for transfer to

the University of Arkansas School of Law. The amount of transfer credit to be granted will depend upon the quality of performance and the relation of completed courses to this school's program. Credit or units only (not grades) are transferable, and credits will not be accepted for any course or other work in which a grade below 2.0 or the equivalent is given at another law school. Failure to disclose attendance at another college or law school or expulsion or suspension is sufficient grounds to require withdrawal.

## Visiting Students

A student in good standing at another fully accredited law school may apply for admission as a visiting student. Enrollment restrictions may limit class selection, and visiting students are not eligible to receive degrees from the School of Law.

"Although we have been married for almost five years, our two years together at the University of Arkansas School of Law have been two of the best years for us yet. We really appreciate the great value that we receive here: top-notch professors, countless extracurricular activities and wonderful classmates. Surprisingly, tuition is a real bargain -- both of us can earn our JDs for less than only one of us could pay elsewhere."



Robert (J.D. '04) and Kim Frazier (J.D. '05)

Educational expenses will vary according to each student's course of study and personal needs. All fees, charges, and costs quoted in this catalog are subject to change. Financial obligations to the University must be satisfied by the established deadlines. Payment may be made at the Student Cashier's Office in the main lobby of Silas H. Hunt Hall by cash, personal check, money order, certified check, or VISA, MasterCard, or Discover credit cards.

Payment of fees does not imply academic acceptance to the University.

## Registration and Tuition Fees

Current estimates of per semester tuition and fees for 2004-05 full-time resident law students beginning studies at the University, based on 15 hours of enrollment:

Registration/Tuition Fees	.....\$3,810.00
College Fee	.....166.95
Union Fee	.....38.55
Technology Fee	.....30.00
Health Fee	.....90.00
Network & Data Fee	.....75.00
Fine Arts Activity Fee	.....4.05
Transit Fee	.....29.10
Safe-Ride Fee	.....3.30
Activity Fee	.....12.00
Associated Student Government Fee	.....9.00
HPER Fee	.....49.20
Media Fee	.....10.35
Distinguished Lecture Fee	.....6.75
Student Health Debt Fee	.....12.75

**Total for Resident Student** .....\$4,347.00

**Total for Non-Resident Student** .... \*\$8,637.00

\*Non-Residents of Arkansas must pay a tuition charge of \$4,290.00 per semester (for 15 hours of credit) in addition to the above. International students must pay an international service fee of \$55 per semester and an international health insurance premium of \$336 per fall semester and \$474 per spring semester in addition to the fees above.

The additional expenses of social activities, amusements, automobile operation, clothing, travel and similar items have not been included because they vary widely, and students must determine their own budgets for such items. Fayetteville is a relatively inexpensive place to live, and our tuition rates are relatively low. Nonetheless, even a single law student should expect to spend approximately \$10,000 per year during Law School. Some law students earn part of their living costs by part-time employment, but this is strongly discouraged in the first year.

Although parking on the campus is quite limited, all students are allowed to have automobiles. There is a permit fee of \$37 off-campus and \$55 on-campus for each vehicle.

The Law School Admissions Office will furnish current costs, including any changes not listed in this catalog, upon request.

## Residence Status

Board Policy 520.8, "Student Residence Status for Tuition and Fee Purposes" provides the basis for classifying students as either "in-state" or "out-of-state" for purposes of assessing student fees. The complete text of that policy can be found in the University of Arkansas Catalog of Studies, Appendix A, or online at [www.uark.edu](http://www.uark.edu).

Some exceptions to the policy include:

\* Native American people in other states belonging to tribes that formerly lived in Arkansas before relocation, and whose names are on the rolls in tribal headquarters, shall be classified as in-state students of Arkansas for tuition and fee purposes, on all campuses of the University of Arkansas.

\* Members of the Armed Forces who are stationed in the State of Arkansas, pursuant to military orders, and their unemancipated dependents, shall be entitled to classification as in-state students for fee-paying purposes.

\* In accordance with the reciprocity agreement described in H.C.R. 32, Board Policy 520.10 states, "Residents of Texarkana, Texas, and Bowie County, Texas, will be classified as in-state students for University fee purposes at the University of Arkansas."

\* The spouse of a person continually domiciled in Arkansas (for at least six consecutive months immediately prior to the beginning of the term or semester in which the fees are to be paid) upon request shall be classified as "in-state" for fee purposes.

Out-of-state students who question their residency classification should contact the Associate Dean for Students, University of Arkansas School of Law, Waterman Hall, (479) 575-5601 for more information about residency classification review procedures.

## Students 60 years of age or older

Students who are 60 years of age or older and show proper proof of age may have tuition and fees waived.

## Description of Various Fees

The HPER Fee is a Board-mandated fee for various physical education activities and intramural programs. Students are allowed access to gyms, the pool, fitness center, sauna, racquetball courts and the indoor track. During the regular fall, spring and summer academic semesters, students are assessed \$3.28 per credit hour.

The Student Activity Fee funds various University programs. Students are admitted free to numerous programs presented throughout the year (not including major, promoted concerts). In the regular fall, spring and summer academic semesters, students are assessed \$.80 per credit hour.

The Arkansas Union Fee supports the renovation, expansion and partial operational costs of the Arkansas Union. During the regular fall, spring and summer semesters, students are assessed a fee of \$2.57 per credit hour.

The Media Fee supports the University's student publications, specifically the Arkansas Traveler student newspaper and the Razorback yearbook. During the regular fall, spring

and summer academic semesters, undergraduate students are assessed \$.69 per credit hour.

The Student Health Fee covers the cost of office visits to physicians, registered nurses, and other health professionals at the on-campus health center, including medical evaluations, women's health visits, and counseling and psychological services visits. Other services covered by the health fee include seven-days-a-week health care access and 24-hour emergency care for counseling and psychological needs. During the regular fall, spring and summer academic semesters, students are assessed \$6.00 per credit hour.

## Other fees

Installment plan fee . . . . .	\$25.00
Late payment fee (not to exceed)....	50.00
International student service fee per semester . . . . .	45.00
Transcript fee:	
official copy . . . . .	5.00
unofficial copy . . . . .	2.00
Graduation fee . . . . .	35.00
Renewal of graduation status fee . .	5.00
Parking permit (per vehicle, off campus)	37.00
Parking permit (per vehicle, on campus)	55.00
Parking permit (per vehicle, commuter)	21.00
Returned check fee (per check) . .	26.00
I.D. card fee (1st card) . . . . .	20.00

## Fee Adjustments

### Academic Year

Students who officially withdraw (dropping all classes that have not been completed up to that time) from the University of Arkansas during the regular fall or spring semesters receive a cancellation of fees less an Administrative Withdrawal of \$45.00, as follows:

- 100% adjustment of tuition and fees before the first day of semester.
- 90% adjustment through the first 10% of days in the semester.
- 80% adjustment through the second 10% of days in the semester.
- 70% adjustment through the third 10% of days in the semester.
- 60% adjustment through the fourth 10% of days in the semester.
- 50% adjustment through the fifth 10% of days in the semester.
- 40% adjustment through the sixth 10% of days in the semester.

## Summer Sessions

Students who officially withdraw from a summer session or who drop classes in the summer receive a cancellation of fees as follows:

- 100% adjustment before the first day of the session.
- 90% adjustment through the first 10% of days in the session.
- 80% adjustment through the second 10% of days in the session.
- 70% adjustment through the third 10% of days in the session.
- 60% adjustment through the fourth 10% of days in the session.
- 50% adjustment through the fifth 10% of days in the session.
- 40% adjustment through the sixth 10% of days in the session.

## Room and Board

Costs of room and board in University residence halls for the 2004-05 academic year range from \$2,130 to \$3,188 per semester for double occupancy rooms with an unlimited meal plan. Single rooms (up to \$550 more per semester) are available on a first-come, first-serve basis. An additional fee of \$26 per semester is charged for unlimited laundry service.

Housing for married students, students with family status, nontraditional, graduate, and law students is limited and requires early application. Carlson Terrace two-bedroom unfurnished units with utilities paid cost \$407 per month. Specific questions concerning on-campus living may be directed to Residence Life and Dining Services (479) 575-3951.

## Financial Assistance

No student of real ability and commitment should be prevented from obtaining a legal education for lack of sufficient personal funds. It is hoped that every qualified student will be able to attend the University of Arkansas School of Law.

## Student Loans and Other Aids

A financial aid package can be prepared for eligible students from several fund sources. Awards are made through the Office of Financial Aid & Scholarships.

Applications must be submitted by April 1 each year. Further information can be obtained by writing: Director, Financial Aid & Scholarships, Room 114, Silas H. Hunt Hall, Fayetteville, Arkansas 72701. Some student scholarships also are administered by the Associate Dean for Students at the Law School.

The University is an approved institution for the training of veterans and veterans' beneficiaries. Veterans of recent military service, service members, members of reserve units, and the dependents of certain other military personnel also may be entitled to educational assistance payments under several different programs. Those who might be eligible for such assistance should contact the nearest Veterans Administration Regional Office as far in advance of enrollment as possible for assistance in securing Veterans Administration benefits.

"I believe that a legal education is one of the most valuable opportunities available to students. It teaches you to think critically and analytically and to solve problems in multi-faceted ways. Today, more than ever, these are skills we need. My Law School experience at the University of Arkansas taught me that justice for all is central to our democracy, and without access to our legal system, there can be no true justice."



Arkansas Attorney General  
Mike Beebe (J.D. '72)

## Academic Good Standing

While enrolled in Law School and working toward the J.D. degree, a student must maintain a cumulative grade point average (G.P.A.) of 2.00 or higher to remain in good academic standing. Our rules on academic dismissal and readmission are as follows:

1. At the end of the first semester of the first year, any student who has a cumulative G.P.A. of 1.49 or lower will be permanently dismissed from the School of Law for academic reasons.
2. At the end of the first year, and any semester thereafter, any student who has a cumulative G.P.A. of 1.79 or lower will be permanently dismissed from the School of Law for academic reasons.
3. At the end of the first year, and any semester thereafter, any student who has a cumulative G.P.A. of 1.80-1.99 will be dismissed from the School of Law for academic reasons. Any such student shall be allowed to petition for readmission, but such student may be readmitted only once. If a student is readmitted, he/she will have to raise his/her cumulative G.P.A. to a 2.00 or higher during the semester of readmission, or that student will be permanently dismissed from the School of Law for academic reasons.
4. A student who is ineligible to continue in the Law School, but who is eligible to petition for readmission, shall be readmitted only upon a decision by the Law School's Petitions Committee. A student shall initiate a petition for readmission by preparing a written petition addressed to the Petitions Committee and filing it with the chair. The petition should describe the student's academic circumstances, present any facts of explanation and mitigation, and indicate how and why he/she expects to make sufficient improvement to achieve a cumulative grade point average of 2.00. The student is entitled to make a personal appearance before the Committee when it considers the petition, to answer questions or to offer further argument on behalf of the petition. The Committee shall readmit a student only when it determines that there were extraordinary circumstances that caused the academic deficiency, and that there is a strong likelihood the student will successfully overcome his/her academic deficiency.
5. The Committee's decision to readmit shall be final. The Committee's decision not to readmit shall only be reviewed by the entire faculty upon a separate, written petition by the excluded student to the faculty, submitted to the Dean, seeking such review. The Committee (or the full faculty on review of a decision not to readmit) may attach such conditions

to its decision to readmit as it may deem in the best interests of the student and the Law School under the particular circumstances involved. A majority vote of faculty in attendance, including the student representative to the faculty, will be necessary to readmit the petitioner upon review by the faculty. If a student's petition for readmission is denied, either by the Committee or upon faculty review, no further petition will be heard, without leave, before the passage of at least one year.

## C Rule

A student must earn satisfactory grades in at least 68 credit hours of Law School courses in order to graduate, and will be dismissed from the Law School if he or she earns more than 22 credit hours with an unsatisfactory grade before what would otherwise have been his or her final semester of Law School. For this purpose, a satisfactory grade is a C or above for any credit awarded on a graded basis, or pass for any credit awarded on a pass-fail basis. If a student is required to take more than 90 credit hours in order to graduate under this rule, all credits in excess of 90 hours must be successfully completed in a single semester, and may not be taken in summer sessions. In addition, the student must satisfy all of such requirements within 5 years from the time the student first matriculated either at this law school or at another law school from which academic credit has been applied toward the degree.

Any student who earns more than 8 credit hours of grades lower than a C, or a cumulative GPA below a 2.15 after all grades for a given semester have been turned in, shall be required to meet with the Associate Dean of Students and a faculty member chosen by the Dean as the Designated Academic Advisor, as soon as possible after the grades or cumulative GPA is earned. The student shall have the responsibility for scheduling this meeting.

In the event that any student earns in excess of 15 hours of credit hours of grades lower than a C, or has a cumulative GPA below 2.05, only that faculty member chosen by the Dean as the Designated Academic Advisor or a replacement approved in writing by the Designated Academic Advisor will thereafter be authorized to sign off on such student's advising card. It is expressly intended that the Designated Academic Advisor will have the authority to impose reasonable conditions on such student's continued enrollment, including but not limited to the authority to approve or disapprove any course schedule during the student's remaining time at this

## Grading System

The grading system used at the University of Arkansas is based on the relative rank of the individual in the class. Grades A, B, C, and D are passing grades; F is absolute failure.

For numerical evaluations, grades are assigned the following values:

<b>A</b>	<b>4.00</b>	<b>B-</b>	<b>2.67</b>	<b>D+</b>	<b>1.33</b>
<b>A-</b>	<b>3.67</b>	<b>C+</b>	<b>2.33</b>	<b>D</b>	<b>1.00</b>
<b>B+</b>	<b>3.33</b>	<b>C</b>	<b>2.00</b>	<b>D-</b>	<b>0.67</b>
<b>B</b>	<b>3.00</b>	<b>C-</b>	<b>1.67</b>	<b>F</b>	<b>0.00</b>

Law School; to limit the number of credit hours in which a student may enroll during any semester; to require attendance at one or more academic enrichment lectures; or to require the student to refrain from or limit employment while enrolled as a student on a full-time basis. Failure to abide by any conditions imposed by the Designated Academic Advisor may subject the student to administrative sanctions such as administrative withdrawal from classes, ineligibility to take replacement classes, or other penalties up to and including dismissal from Law School.

## Requirements for Degree

The juris doctor (J.D.) degree will be conferred upon candidates who complete 90 semester hours of law courses, including all required courses, with a 2.00 or better cumulative grade point average. As noted above, candidates who have accumulated more than 22 hours in which each grade is less than 2.00 will only be permitted to graduate if they comply with the terms of the Law School's "C Rule." Application for graduation must be made to the registrar and fees paid during registration for the semester in which degree requirements will be completed and graduation effected. If a student fails to complete the degree, the application must be renewed and a renewal fee paid.

The course of study leading to the juris doctor degree requires resident law study for three academic years. The curriculum is designed to occupy the full time of the student. Students are required to enroll in no more than 16 hours without the permission of the dean's office. In addition, in order to be a full time student during the regular academic year, students must be enrolled for a minimum of 12 hours.

## Honors Designations

A cum laude degree will be conferred on any student in the juris doctor program who attains at least a 3.25 G.P.A. and who has been in residence for at least two years. A magna cum laude degree will be conferred on any student in the J.D. program who attains at least a 3.50 G.P.A. and who has completed no more than nine credit-hours of courses anywhere other than at the University of Arkansas. A summa cum laude degree will be conferred on any student in the J.D. program who attains at least a 3.75 G.P.A. and who has completed no more than nine credit-hours of courses anywhere other than at the University of Arkansas. Magna cum laude and summa cum laude designations may only be awarded to transfer students or students with more than nine hours of credit earned at any other institution by faculty vote.

## Withdrawal

A student who leaves the University voluntarily before the end of a semester or summer term must first meet with the Associate Dean for Students and the Law School Registrar. The registration-change deadlines for dropping courses apply to withdrawal as well. Students who fail to withdraw officially will receive grades of "F" in the classes for which they are registered but which they fail to complete.

## University Policy on Auditing a Course

When a student takes a course for audit, that student must obtain permission of the instructor and the Dean's Office, register for audit, pay the appropriate fees, and be admitted to class on a space-available basis. The instructor shall notify the student of the requirements for receiving the mark of "AU" for the course. The instructor and the dean may drop a student from a course being audited if the student is not satisfying the requirements specified by the instructor. The student is to be notified if this action is taken. The only grade or mark which can be given is "AU."

## Summer School

The University of Arkansas School of Law operates a summer school open to its students and to students at other accredited law schools who have completed at least one year of study. Students from other law schools desiring to attend summer school at Arkansas must satisfy the requirements of admission for students with advanced standing and should write to the Law School Admissions Office, Waterman Hall, Fayetteville, Arkansas 72701, prior to the date of summer school registration.

## The Student Code of Conduct

Those who enter the legal profession must be persons of integrity, meriting at all times the trust of their clients, associates, and other members of the bar. The School of Law believes that the process of earning such trust cannot await graduation but should begin even while the student is pursuing law studies. Conduct of law students is governed by the Student Code of Conduct adopted by the student body. Examinations, for example, are not normally proctored by the professors, but each student is to abide by the Code of Conduct, which is representative of the ethical standards of the legal profession. Copies of the Code are distributed to students during registration.

## Policy Prohibiting Sexual Harassment

It is the policy of the University of Arkansas, including the School of Law, to provide an educational and work environment in which thought, creativity, and growth are stimulated, and in which individuals are free to realize their full potential. The University should be a place of work and study for students, faculty, and staff, which is free of all forms of sexual intimidation and exploitation. Therefore, it is the policy of the University of Arkansas to prohibit sexual harassment of its students, faculty, administrators and staff and to make every effort to eliminate sexual harassment in the University.

## Non-Discrimination Policy

In spring 1983, the Campus Council adopted a statement regarding discrimination, which was amended in fall 1991:



The Campus Council of the University of Arkansas, Fayetteville, does not condone discriminatory treatment of students or staff on the basis of age, disability, ethnic origin, marital status, race, religious commitment, sex or sexual orientation in any of the activities conducted upon this campus. Members of the faculty are requested to be sensitive to this issue when, for example, presenting lecture material, assigning seating within the classroom, selecting groups for laboratory experiments, and assigning student work. The University faculty, administration, and staff are committed to providing an equal educational opportunity to all students. The Office of Human Relations, 415 Administration Building, has been designated to coordinate efforts to comply with the provisions of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Americans with Disabilities Act, and Section 504 of the Rehabilitation Act of 1973.

## Accommodations Policy -- Students with Disabilities

The Law School complies with the federal Americans with Disabilities Act. A student who believes he or she has a disability shall contact the Associate Dean for Students if he or she seeks a reasonable accommodation for academic programs offered by the Law School, including examinations. Requests should be made as early as possible, but a completed application for accommodation on examinations must be submitted at least thirty days before the start of the examination period, unless that deadline is waived by the Associate Dean for Students or the Committee on Disabilities, described below. All requests and related information will be confidential, except to the extent reasonably necessary to evaluate the claimed disability, to determine whether and what accommodation is necessary, and to implement an accommodation.

A student seeking an accommodation must submit an application on a form available from the Associate Dean for Students. Ordinarily, such a request must include the submission of relevant documentation, including:

- (1) copies of medical or psychological histories, tests, evaluations, or diagnoses, including at least one such document which is less than two years old;
- (2) a description of how the disability affects, or might affect, classroom work or examination performance;
- (3) a description of proposed accommodations, if known, and a description of how the proposed accommodations would fairly compensate for the claimed disability;
- (4) the names and addresses of any individuals who may be able to assist the committee in determining an appropriate accommodation; and
- (5) any prior accommodations sought or offered, and implemented or rejected, or by any other institution, such as an undergraduate college.

A Committee on Disabilities shall be appointed by the dean. The committee shall consist of three faculty members in addition to the Associate Dean for Students, who shall serve ex officio. One member shall be appointed to chair the committee. The committee shall have the authority to seek the attendance before the committee of any other persons who

may be able to assist the committee, such as teachers, clinical experts, or evaluators. The committee shall also have the authority to request additional evaluations or testing. The committee shall consult with any teacher in whose course the student seeking the accommodation is currently enrolled, although the committee shall make all reasonable efforts during such consultation to protect the confidentiality of the student seeking accommodation if the student so requests.

A student seeking an accommodation shall have the right to appear before the committee and may be accompanied by one individual representative. Only the committee will be present for final deliberations and voting. If the committee decides that a reasonable accommodation is necessary, it shall prepare promptly a formal plan of accommodation and immediately send notice of the proposed plan to the student seeking accommodation, faculty members whose courses or examination policies will be affected by the accommodation during the semesters addressed by the plan, and the Dean. The committee has the authority to modify any Law School rule or policy and an individual course requirement if necessary to provide reasonable accommodation. If the committee decides that a reasonable accommodation is not required or possible, it shall promptly notify the student seeking the accommodation of its decision and the reasons therefor. The student seeking accommodation, and any faculty member whose course or examination policies will be affected by the committee's plan in the semester addressed by the accommodation plan, shall be entitled to obtain de novo review by the faculty by filing a request for such review with the Dean within ten days of learning of the committee's action.

## Student Attendance Policy

Standard 304(e) of the American Bar Association standards for Approval of Law Schools requires "[r]egular and punctual attendance" in order to satisfy residence credit and credit hour requirements. As a student, it is your responsibility to adhere to these standards, and many faculty members have adopted specific policies that may penalize you for failure to do so. In addition, you are strongly cautioned that failure to regularly attend class is likely to negatively impact your ability to learn the required material, do well on Law School exams, pass the bar examination and practice law.

## Student Employment Policy

Standard 304(f) of the American Bar Association Standards for Approval of Law Schools explicitly provides that "[a] student may not engage in employment for more than 20 hours per week in any semester in which the student is enrolled in more than 12 class hours." As a student, it is your responsibility to adhere to this requirement. In addition, it is **strongly recommended** that no first year student engage in any outside employment during the first year of law school.

The Office of Career Planning and Placement informs all employers who use the facilities of the office to hire law clerks or other workers during the school year that law students may not be hired to work more than 20 hours per week while they are enrolled in more than 12 class hours.

# Arkansas Bar Foundation Scholarships

The Arkansas Bar Foundation annually makes available a number of law scholarships. Criteria vary, but financial need, scholarship, and probability of Law School success are most important. The Foundation's scholarships, in turn, are identified by the individuals and/or firms the scholarships honor. For 2003-04, the following Foundation scholarships are offered:

**Judge John E. Miller** - established in honor of Senior Judge John E. Miller, U.S. District Court, Western District of Arkansas.

**R.A. Eilbott, Jr.** - established in memory of the distinguished Pine Bluff lawyer.

**Judge John Fogleman** - honoring the well-known lawyer and former Justice of the Arkansas Supreme Court.

**Henry Woods** - established in honor of the Little Rock lawyer and former Senior U.S. District Judge.

**Edward Lester** - established in memory of a Little Rock lawyer and one of the founders of the Arkansas Law Center.

**Henry P. Warner** - established in memory of this respected Fort Smith lawyer.

**Cecil R. Warner** - established in memory of this respected Fort Smith lawyer.

**Bud and Bernard Whetstone** - established by the Whetstones to assist law students from Arkansas.

**Judge J. Smith Henley Scholarship Fund** - established in honor of the late judge of the United States Court of Appeals for the Eighth Circuit.

**Judge George Rose Smith** - established in honor of the late Justice of the Arkansas Supreme Court.

**Judge Frank Holt** - established in memory of the former Justice of the Arkansas Supreme Court.

**M. Jeff Starling, Jr. Labor Law Award** - established by the Starling family in memory of this respected Pine Bluff lawyer.

**Smith, Stroud, McClerkin, Dunn and Nutter Scholarship** - established by this Texarkana firm in memory of deceased members of the firm: Willis B. Smith, Charles M. Conway, and James N. Nutt.

**Shackleford Scholarship** - established by Shackleford, Shackleford and Phillips, the El Dorado firm, in memory of John Dennis Shackleford and John M. Shackleford and in honor of John M. Shackleford Jr. and Dennis L. Shackleford.

**Thomas Clark Trimble Memorial Scholarship** - established in memory of outstanding United States District Judge Thomas Clark Trimble III; and distinguished lawyers Thomas Clark Trimble I, Thomas Clark Trimble II, and Thomas Clark Trimble IV.

**Rather, Beyer & Harper** - established by the Little Rock insurance firm.

**Sharp-Bogle Memorial Scholarship** - established in memory of Arkansas Bar Association President William Wilson Sharp and Arkansas Lieutenant Governor G. Otis Bogle, law partners in Brinkley.

**Friday, Eldredge & Clark Scholarship** - established by the firm to honor deceased members of the firm Jerry T. Light and Boyce R. Love. The scholarship amount is based upon individual contributions to the Boyce R. Love Memorial Fund.

**Joe C. Barrett Scholarship** - established by a bequest from Mr. Barrett, a prominent Jonesboro attorney and one of the authors of the Uniform Commercial Code.

**Colonel C.E. Ransick Scholarship** - established in honor of Colonel Ransick upon his retirement as Executive Director of the Arkansas Bar Association.

**Arkansas Bar Foundation** - The lawyers of the state have been very sensitive to the financial problems of law students and very generous to the Law School. In addition to the individual scholarships listed above, the Arkansas Bar Foundation annually supports other scholarships in its name.

**Vincent W. Foster, Jr. Scholarship** - established in memory of Vincent W. Foster, Jr. by his family and friends.

**Horace H. McKenzie Scholarship** - established in memory of Horace H. McKenzie by the law firm of McKenzie, McRae, Vasser & Barber and the James McKenzie family.

**Judge William R. Overton Scholarship** - established in memory of Judge William R. Overton by his friends and family.

**David Solomon Scholarship** - established in honor of David Solomon by his family.

**Guy Amsler Jr. Scholarship** - established in honor of Guy Amsler Jr. by the law firm of Barber, McCaskill, Jones & Hale.

**Wilson & Associates Ethics Scholarship** - A scholarship awarded to the most outstanding student in the Professional Responsibility course.

## Other Scholarships

Alumni and other friends of the University of Arkansas School of Law also have made gifts to the Law School for scholarships. These scholarships are described below:

**Odom, Elliott, Winburn, Odom and Smith Scholarships** - These scholarships, provided by individual members of the Odom & Elliott law firm of Fayetteville, Ark., are awarded to four students who have demonstrated excellence in trial advocacy based upon their performances in the William H. Sutton Barrister's Union Trial Competition.

**Vol Boatright Scholarship** - The Vol Boatright Scholarship is awarded annually to a deserving but needy student of the University of Arkansas School of Law.

**Wright, Lindsey & Jennings Scholarships** - The law firm of Wright, Lindsey & Jennings of Little Rock provides two tuition scholarships annually. Recipients are selected on the basis of academic potential and financial need. Nominations of recipients are made by the School of Law's Scholarship Committee, and final selections are made by the firm.

## Scholarship Information

**Interest on Lawyers Trust Account (IOLTA) Scholarships** - The Board of Directors of the IOLTA Foundation has established annual scholarships for law students as a continuing priority for IOLTA revenues. These scholarships are known as the "Arkansas IOLTA Foundation Scholarships" and the "Arkansas League of Savings Institutions IOLTA Scholarships."

**Mitchell, Williams, Selig, Gates & Woodyard Scholarship** - The law firm of Mitchell, Williams, Selig, Gates & Woodyard of Little Rock provides one scholarship annually to the student who serves as chair of the Board of Advocates.

**Waterman Memorial Scholarships** - Under authority of the Board of Trustees of the University, the Waterman Memorial Trust Fund was established in June, 1947, to honor the memory of Julian S. Waterman, founder of the School of Law and Dean from its inception until his death in 1943. Money contributed to the fund is held in trust for purposes useful to the School, including scholarships to law students, expenses of visiting lecturers, and other beneficial activities. The Dean of the School of Law is the trustee of the fund, and is to be guided in its expenditure by the advice of the law faculty. A scholarship is awarded from the fund each year.

**Silas Hunt Memorial Scholarship** - Members of the Harold Flowers Society created this scholarship in memory of Silas Hunt, the first black student to enroll at the University of Arkansas School of Law.

**Lee and Bernal Seamster Memorial Fund** - This memorial was created through contributions made in memory of Lee Seamster, Chancellor of the 13th Chancery Circuit and Chief Justice of the Supreme Court of Arkansas from May 2, 1955, to January 1, 1957, and Bernal Seamster, son of Judge Seamster, member of the Arkansas bar and a graduate of the School of Law. The income from this fund is used for a scholarship each year.

**F.H. Martin Scholarship** - This scholarship is from a fund established in memory of this former faculty member and distinguished Fayetteville lawyer.

**Edward Baylor Meriwether Scholarships** - Under the authority of the Board of Trustees of the University, the Edward Baylor Meriwether Trust Fund was established in October 1963. The earnings are to be made available to "worthy, needy students in the School of Law."

**James E. McDaniel Scholarships** - These scholarships to deserving law students are designated in honor of the donor, a prominent Jonesboro attorney.

**J.W. Fulbright Scholarships** - The Fulbright family has established an endowed gift to the School of Law, which provides several scholarships annually.

**Anna McGee Memorial Scholarship** - This scholarship was created in memory of Anna McGee and goes to a second- or third-year student with high academic standing. Need and excellence in scholarship are the criteria evaluated for selection.

**Jim G. Ferguson, Sr. Memorial Scholarship** - Jim G. Ferguson, Jr. of San Antonio, Texas, has provided an endowment to fund an annual scholarship in memory of his father.

**John J. Cravens Memorial Scholarship** - Family and friends of John J. Cravens have established a scholarship fund to honor the late John J. Cravens for his service as an attorney in Ozark, Ark. The earnings from this fund generate several tuition scholarships annually.

**John Grabel Scholarship Fund** - Ruth Grabel has established a scholarship fund honoring her father, John W. Grabel. The income from the fund is used for merit scholarships.

**Rose Law Firm Scholarship** - The Rose Law Firm of Little Rock has established a fund to provide a scholarship for the Editor-in-Chief of the *Arkansas Law Review*.

**Jack Yates Scholarship Fund** - Family and friends of Jack Yates have established a scholarship fund to honor Mr. Yates.

**Robert E. Boyer Endowed Scholarship** - This scholarship was established by a gift from Tommy and Sylvia Boyer to honor his brother, the former circuit-chancery judge in Sebastian County and a 1950 graduate of the Law School.

**Norma Lea Beasley Endowed Law Scholarship** - This endowment was provided by Ms. Beasley, a 1953 graduate of the Law School, to assist needy students.

**Morris and Jessie Waterman Herrman Endowed Scholarship** - This endowment was provided by Cecil W. and Gus W. Herrman in honor of their parents. Their mother, Jessie Waterman Herrman, was the sister of Dean Julian Waterman, the founder of the school.

**Leland F. Leatherman Endowed Scholarship** - This endowment was provided by the Arkansas Electric Cooperative Corporation for students interested in the law of cooperatives and was named for Mr. Leatherman, a 1939 graduate of the Law School, who served for many years as corporate counsel to AECC.

**Charles Thomas and Mary Alice Pearson Fellowship Fund** - This fund, established in 1995, honors the memory of

Charles Thomas and Mary Alice Pearson. It provides for as many as 16 fellowships. Awards are based on standard School of Law scholarship application procedures, but include these criteria: class rank (top 20 percent of first-year class), the submission of letters of recommendation and a three- to five-page memorandum reporting on a book on ethics or professionalism from an approved reading list.

**Governor Francis Cherry Scholarship** - The Honorable William J. Smith, Little Rock attorney and former judge, established an endowed gift to the School of Law to honor former Arkansas Governor Francis A. Cherry for his outstanding service to the state. This scholarship is awarded annually.

**Max Ostner Scholarships** - A 1941 graduate of the School of Law, Max Ostner established these two full-tuition scholarships to benefit deserving University of Arkansas law students.

**Jay W. Dickey, Sr. Scholarship** - Jay Dickey, Sr., a 1934 graduate of the School of Law and a former member of the University of Arkansas Board of Trustees, established this scholarship through a bequest.

**Don S. Smith Scholarship** - The Don S. Smith Scholarship was established to honor the memory of Don S. Smith, a 1962 graduate of the School of Law. The scholarship, made possible by a gift from Keck, Mahin & Cate, and the gifts of family and friends outside the firm, provides an annual scholarship to a deserving University of Arkansas law student.

**William E. Browning Scholarship** - This endowed scholarship was provided by William E. Browning ('41) of Little Rock.

**Emeline Vincent Scholarships** - These scholarships were established through a bequest to benefit University of Arkansas Law School students.

**Joseph C. Kemp Scholarship** - Established by various donors, this scholarship honors Joseph C. Kemp, a Little Rock attorney.

**Benton County Bar Scholarship** - A partial scholarship awarded to a student from Benton County, Arkansas.

**Charles R. Garner Scholarship** - Charles R. Garner was a distinguished member of the Fort Smith bar and a 1950 graduate of the Law School. The scholarship was established by his wife. Recipients must be entering their third year, have a demonstrated financial need and have a record of commitment and skill in the area of advocacy.

**Sidney Parker Davis, Jr. Scholarship** - A 1960 high honor graduate of the Law School, a lecturer at the Law School from

1961 to 1981 and an outstanding lawyer in Fayetteville, Ark., Sidney Parker Davis, Jr. established this scholarship in 1998. The recipient must have demonstrated financial need and a strong academic performance.

**Rodney Momon Scholarship** -

Diversity scholarship named for a former African-American student in the Class of 1999.

**John N. Stern Scholarship** - A scholarship established by the Ben J. Altheimer Charitable Foundation, Inc. to honor Stern, longtime and last trustee of the Altheimer Foundation appointed by Ben J. Altheimer prior to his death in 1946.

**Michelle Bartlett Endowed Award** -

Friends and family of Michelle Bartlett, a 2L student who died in September 2003, established this fund to benefit an incoming 2L in the top 20 percent of his/her class with an interest in criminal law.

## Leflar Fellows

In 1980, friends of Robert A. Leflar organized a campaign to raise funds to create a Leflar Fellow program at the Law School. As lawyer, teacher, dean, civic leader, and Associate Justice of the Supreme Court, Dr. Robert A. Leflar served the state of Arkansas. As one of the foremost authorities on Conflict of Laws and one of the leading figures in judicial education, Dr. Leflar served lawyers and judges everywhere.

According to former Dean John Wade of the Vanderbilt University School of Law, "It is not exaggeration to suggest that Robert Leflar may well have had more influence on the development of common law since 1950 than any other single individual."

Under the terms of the Robert A. Leflar Scholarship Fund, each year up to three outstanding applicants to the University of Arkansas School of Law will be selected as Leflar Fellows and awarded a three-year fellowship.

## Graduation Awards & Honors

At the Law School graduation ceremony each spring, several monetary and book awards are given to graduating seniors (including mid-year graduates).

**James H. McKenzie Professional Responsibility and Ethics Award** - provided by his family in memory of James H. McKenzie ('66) for outstanding performance

in the area of Professional Responsibility and Ethics.

**Bard Rogan Natural Resources Law Award** - given by Kevin Vaught ('82) of Fort Smith, Ark., for excellent achievement in the study of oil and gas law, public lands law, water law and other geothermal regulation.

**Outstanding Academic Achievement Prize** - awarded by the Niblock Law Firm, Fayetteville, in the amount of \$1,000 to the graduate ranking first in the graduating class.

**American Bankruptcy Institute Medal of Excellence** - awarded to the outstanding graduate in bankruptcy.

**W.J. Arnold Memorial Award for Academic Achievement** - awarded in the amount of \$500 to the graduate ranking second in the graduating class.

**High Academic Achievement Award** - book award presented to the graduate ranking third in the graduating class.

**Jim G. Ferguson, Sr. Award** - provides a cash prize for University of Arkansas law students graduating cum laude, magna cum laude and summa cum laude.

**West Publishing Co. Award** - awarded to the graduate making the outstanding contribution to Law School publications.

**Medico Legal Prize** - awarded to the graduate who has performed outstanding work in the general field of health law.

**Craig Sterne Memorial Award** - awarded to the outstanding graduate in Estate Planning and Taxation.

**W.B. Putman American Inn of Court Pupil Award** - awarded by the local chapter of the American Inns of Court to a student for professional excellence in the American Inns of Court Program.

**Joe C. Barrett Award** - awarded to the outstanding graduate in Commercial Transaction course work.

**T.C. & Rosemary Carlson Memorial Award** - awarded to the outstanding graduate in Constitutional Law.

**The M. Jeff Starling, Jr. Labor Law Award** - awarded to the outstanding graduate in labor and employment law.

**Trial Advocacy Prize** - awarded by the Bassett Law Firm, Fayetteville, in the amount of \$500 to the graduate or graduates excelling in trial advocacy competitions.

**Appellate Advocacy Prize** - awarded by the law firm of Davis, Wright, Clark, Butt & Carithers, PLC, Fayetteville, in the amount of \$500 to the graduate or graduates excelling in appellate advocacy competitions.

**Dean's Award for Contribution to the Law School Community** - awarded to the graduate who has made the greatest contribution through service to the Law School community.

**Lewis E. Epley, Jr. Faculty Award for Excellence in Teaching** - award funded by Lewis E. Epley, Jr. ('61), a former chairman of the University of Arkansas Board of Trustees.

"I will always treasure my law school experience. I have learned that hard work and determination are the keys to success. Such traits will enable me to enter the legal field with the confidence and knowledge that I have been well prepared by my law school education."



Kendra Buford (J.D. '04)

The Career Planning and Placement Office at the University of Arkansas School of Law provides a wealth of resources to assist students and alumni in obtaining employment. From the first semester of Law School, up to graduation and beyond, students can receive information and advice on a broad range of legal career opportunities.

The School of Law's Director of Career Planning & Placement, Chris Mitchell, joined the staff of the University of Arkansas School of Law in May 2003.

Chris earned his J.D. from the Law School in 2000 after receiving his master's degree in criminal justice in 1997 from Lincoln University in Jefferson City, Missouri. He holds a bachelor's degree in political science from the University of Missouri in Columbia. He came to the Law School from the Taylor Law Firm where he served as a civil litigation attorney with areas of emphasis in insurance disputes, workers' compensation, personal injury and appellate work.



Chris Mitchell

Services provided by the Office of Career Planning & Placement include:

**1. Career counseling**, focusing on the individual student's career and life goals.

**2. Career education programming**, featuring speakers who provide insight and advice related to the many career options open to those holding a Juris Doctorate degree. Topics include judicial clerkships, solo and small firm practice, in-house corporate positions, large law firms, summer clerkships and internships, public interest law, government practice, and alternative careers for lawyers.

**3. Job search skills workshops and handbooks**, including areas such as resumes and cover letters, networking, researching employers, and interviewing.

**4. The Career Resource and Placement Library**, which offers materials on resumes, cover letters, networking, and other job search skills, as well as job lists from other schools and clearinghouses and information files on many employers and practice areas.

**5. On-campus interviews and job fairs** where law firms, government agencies, businesses and public interest organizations seek to hire our graduates. A broad range of legal employers from many cities participate in the School of Law's on-campus interview program. We also participate in off-campus job fairs in Atlanta, Chicago and Washington D.C. in order to increase interview opportunities for minority students and those interested in public interest positions.

**6. The CPPO website located at <http://law.uark.edu>** features a wealth of information, including job statistics on bar passage,

employment rates for previous years, grading scales and honors earned by our students. A "For Employers" page provides information about student activities and achievements, how to post a job listing, and on-campus interviewing.

**7. The Research Clearinghouse**, a means by which students may obtain ad hoc research jobs for practicing attorneys. Students participating in the Research Clearinghouse are paid in accordance with agreements worked out between student and attorney. These clearinghouses provide practical experience for students who wish to work with an attorney on live client issues, but without the time commitment of a regular clerkship.

**8. Employment, salary and bar passage statistics**, which are maintained in the CPPO and are available for students and graduates as well as employers. As a member of the National Association for Law Placement, the CPPO receives statistical information on legal employment throughout the United States and elsewhere.

**9. Bar Exam information**, including early registration requirements for various states.

**10. Bar Admission information.** Each year, a number of Arkansas graduates accept employment outside Arkansas. Students graduating from the University of Arkansas School of Law are qualified to seek admission to the bar of any state. The CPPO provides students who wish to practice law in other states with the information they need to register and prepare for taking that state's bar exam.

The CPPO non-discrimination policy is as follows:

The University of Arkansas School of Law is committed to a policy against discrimination. The School of Law will neither foster nor tolerate discriminatory actions or policies on the part of any member of the School of Law community, any employer, or any other individual or entity with which the School of Law interacts. The School of Law includes within the meaning of this policy any decisions or actions that ignore individual merit and attainment and are instead predicated on race, color, gender, national origin, religious creed, age, handicap or disability, marital status, or sexual orientation.

All individuals and organizations that have access to the School of Law's programs and facilities and, in particular, employers who use its Career Planning & Placement Office (with the sole exception of the U.S. military), must share this commitment to nondiscrimination. Students who believe that any employer has violated this policy are urged to report the problem to the Director of Career Planning & Placement.

## The Clinic Program

The Law School Legal Clinic began more than thirty years ago when then Dean Wylie H. Davis appointed Hillary Rodham Clinton its first director. Since that time, the Clinical Program has grown to become an integral part of the Law School experience for students at the University of Arkansas School of Law. The Law School Legal Clinic provides both a needed resource for the community and helps those enrolled transition from law student to practicing lawyer. This page provides a brief overview of the program as it exists today. For additional details about any course, see the individual course descriptions in this catalogue. If you would like additional information, please feel free to call the clinic office at (479) 575-3056.

The University of Arkansas School of Law Clinic Program currently includes a number of distinct clinics. Legal services are provided free of charge to government agencies, charitable organizations and individuals that need a lawyer but cannot afford one. Representation of individuals is limited to those whose incomes are at or below 150% of the U.S. Department of Labor poverty guidelines. Student attorneys fully are responsible for representing their clients. They are assisted and supervised by an experienced and fully licensed faculty member.

Enrollment in all clinic courses is limited. Admission is by lottery. Each course has academic and professional prerequisites which are listed in the individual course descriptions in this catalogue. Student attorneys in all clinics except the Federal Clinic are licensed to practice law before the Arkansas courts pursuant to Rule XV of the Rules Governing Admission to the Bar. Students in the Federal Clinic are admitted *pro hac vice* to appear before the U.S. Bankruptcy Court and other government agencies.

**CIVIL CLINIC:** Student attorneys in the Civil Clinic represent individual clients in a wide range of civil matters. The majority of cases accepted by the Civil Clinic involve some aspect of family law including: divorce, post divorce modification or enforcement of custody, visitation and support obligations, defense of contempt actions, emancipation of minors and representation in Family In Need of Services [FINS] petitions filed by the Department of Human Services. Other types of cases which might be accepted include consumer contract disputes, landlord-tenant cases, wills, trusts and other end of life representation, incorporation and tax exemption representation of charitable organizations and representation of disabled individuals in appeals from denial or reduction of Medicaid benefits.

Student attorneys are responsible for all aspects of their clients' representation, including client counseling, case investigation, preparation and filing of all pleadings and other court documents, discovery, negotiation, settlement documentation, trial and appeal. The Civil Clinic is offered in both the

Fall and Spring semesters.

**CRIMINAL DEFENSE CLINIC:** Student attorneys in the Criminal Defense Clinic represent juveniles accused of delinquency, including felony and misdemeanor acts, in the Washington County Circuit Court, juvenile Division. Students represent their clients in all phases of the case including arraignment, pretrial detention and revocation, pretrial motions, trial, sentencing, probation revocation and appeal. Students are responsible for case investigation, discovery, interviewing clients and witnesses, plea negotiations and trials. Student attorneys are also responsible for helping their clients understand the criminal process and making informed decisions about their case. Cases are accepted as transfers from the Washington County Public Defenders Office. The Criminal Defense Clinic is offered during the Spring semester.

**CRIMINAL PROSECUTION CLINIC:** Rule XV Students appear on behalf of the State in Fayetteville District Court by special arrangement with the City Prosecutor's Office. Student Attorneys will be assigned 15 to 20 misdemeanor cases on each of 3 or 4 separate court days during the semester. They handle all phases of the cases assigned to them, including pretrial motions and negotiations, trial and sentencing. This Clinic is offered in the Fall semester and during summer school.

**FEDERAL CLINIC:** Student Attorneys in the Federal Clinic handle primarily no-asset bankruptcies, appearing *pro hac vice* (i.e. admitted for a particular case upon motion of a member of the bar). Representation begins with an eligibility assessment and includes counseling the client on the decision to pursue bankruptcy as opposed to alternative approaches. If the client elects to seek bankruptcy, the student attorney prepares and files all pleadings and schedules, attends the first meeting of creditors, and responds to any objections or motions by the Trustee or creditors. Student attorneys in the Federal Clinic also represent individuals in matters before various federal agencies. This Clinic is offered both semesters.

**GENERAL PRACTICE CLINIC:** The General Practice Clinic is designed to give student attorneys the opportunity to gain experience in the types of cases handled by lawyers practicing in small or medium sized firms. Student attorneys represent clients in several civil matters, including at least one family law case. They also represent a juvenile accused of an act of delinquency before the Washington County Juvenile Court. Finally, student attorneys will represent a client in a bankruptcy case. Student attorneys are responsible for all aspects of their clients' representation in each type of case. The General Practice Clinic is offered only during the Summer session. The General Practice Clinic extends across both summer sessions and is therefore taught at the same pace as clinic courses offered during the Fall and Spring semesters.

## Arkansas Law Review

The *Arkansas Law Review* is a legal periodical published quarterly by the students of the School of Law in cooperation with the Arkansas Bar Association, through the auspices of Arkansas Law Review, Inc. Candidates for the Law Review are selected from the second-year Law School classes by the editorial board on the basis of academic achievement, scholarship and writing ability.

The Law Review offers an excellent opportunity to those students with the ability and industry to do legal research and writing of a scholarly and practical nature. All material published in the *Arkansas Law Review* is edited by a student board of editors and much of it is written by students.

The *Arkansas Law Review* is sent to each member of the Arkansas Bar Association and to lawyers and law libraries in every state. Law Review articles and student writings have been relied on by Arkansas courts, courts in other jurisdictions, and legal scholars.

*Arkansas Law Review* members earn one hour of ungraded academic credit (added in the third year) upon completing their responsibilities. A Law Review member who submits an additional comment, note, or other article for publication may earn a second hour of credit.

*Arkansas Law Review* editors receive additional credits reflecting their additional responsibilities. The Editor-in-Chief of the Law Review receives an additional three hours of credit upon completing his or her responsibilities. Other Law Review editors receive an additional two hours of credit upon completing their individual responsibilities.

## Journal of Food Law and Policy

As the qualifications and skills of the students at the University of Arkansas have increased, so has student interest in working on scholarly publications. After considerable study and input from interested students and faculty, the Law School has announced the creation of a second legal journal. The inaugural issue of the *Journal of Food Law and Policy* will be published in 2004-05 after a symposium which is being organized by the initial Board of Editors for the Journal.

The *Journal of Food Law and Policy* will be the first food law journal in this country published at a law school through the efforts of law students. The topic is a natural for this Law School. Not only do we host the only Agricultural Law LL.M. program in the country and serve as home to the federally-funded National Agricultural Law Center, but we have a number of faculty members with special expertise in food law. Agriculture and food-related industries are also of vital importance to the state, just as food law issues are assuming increasing importance across the country and the world.

## Board of Advocates

The Board of Advocates is a student organization that administers all intra-school and inter-school competitions, including mock trial, appellate moot court, client counseling and negotiations. Board members may earn one hour of ungraded academic credit, provided they complete their Board

duties. The Board's Chair, Vice Chair, Secretary-Treasurer, and Competition Chairs may earn one additional hour of credit upon completing their duties. Members of interscholastic competition teams also may earn one hour of ungraded credit.

## Competitions

### Appellate Moot Court

Appellate moot court is designed to train students in the use of the law library, the analysis and solution of legal problems, the drafting of briefs, and the presentation of oral arguments. Each law student prepares a brief and makes an oral argument as part of the course in Legal Research and Writing II.

In addition, students in their second and third years are encouraged to compete in an intramural moot court competition. The final round of this competition is argued before a panel of distinguished judges and lawyers.

Arkansas students also compete in a number of national moot court competitions. For example, each fall students represent the University of Arkansas School of Law in the National Moot Court competition administered by the Bar Association of the City of New York. The students argue first at the regional level and then, if they win, advance to the nationals.

Since 1992-93, the University of Arkansas intercollegiate moot court teams have advanced to the nationals of the National Moot Court Competition in New York City three times; won four best brief awards; earned six best oralist awards; and won, placed, or advanced to the finals, semifinals or quarterfinals in national moot court competitions nine times. Arkansas has sent out more than 50 students during this period. Arkansas teams have also advanced in, and won best brief and best oralist awards, in other interscholastic competitions as well.

### Trial Competitions

In addition to the opportunity to enroll in a trial advocacy class, second- and third-year law students may compete in the William H. Sutton Barrister's Union Trial Competition, a student-run, intramural trial competition which is held in the fall semester. Students participate in the competition in teams and work with a previously drafted record. They present an opening statement, examine and cross-examine witnesses, and give a closing argument in a mock trial setting. Participants in the fall competition may apply for membership on four traveling teams representing the school at regional and national trial competitions. The traveling teams are coached by faculty and members of the local bar. In 2002-03, both University of Arkansas teams in the National Mock Trial Competition advanced to the final rounds of the regional competition, which the U of A won, thereby advancing to the nationals.

### Client Counseling Competition

The University of Arkansas School of Law also participates in the American Bar Association's Client Counseling Competition for law students. Teams participate in an intramural competition and are eligible for membership on the traveling team to compete at the regional and national level.

In the Client Counseling Competition, teams of two law

students interview an actor playing the role of a client. The law student teams have received only general and incomplete information about the client and his or her problems. The students use the client interview to discover the client's problems and provide preliminary legal advice. After the judges observe the teams interview the same client, they make the decision as to which team handled the consultation most skillfully. University of Arkansas teams have also done well in regional and national client counseling competitions.

## **Negotiations Competition**

As in other advocacy skills programs, the University of Arkansas sponsors an intramural Negotiations Competition. Teams representing the School of Law also have successfully competed in recent years in the American Bar Association's Negotiations Competition, which focuses on the ability to successfully represent a client's interest in a settlement negotiation with opposing counsel.

# **Student Organizations**

## **Black Law Student Association**

BLSA works to inform black students of the availability and advantages of a legal education, promote the academic success of black law students at the Law School, and increase the awareness and commitment of the legal profession to the black community.

## **Christian Legal Society**

CLS is an interdenominational organization whose primary purpose is to integrate law school and the practice of law with the Christian life.

## **Employment and Labor Law Society**

The Employment and Labor Law Society of the UA School of Law strives to expose law students to the growing field of law which regulates the employee-employer relationship by providing students with opportunities to interact with and learn from practicing attorneys in this area.

## **Environmental Law Society**

The ELS is committed to developing an awareness in the student body of legal and policy issues affecting the human environment, and promoting discussion from all policy backgrounds affecting these issues.

## **Equal Justice Works**

EJS was formed to promote knowledge and interest in public interest law, to encourage participation in public interest internships to broaden the scope of the legal education, to foster outside educational experiences through internships and judicial clerkships, and to aid in a financial manner those students who might not ordinarily be able to afford voluntary and lower-paid outside employment in the legal community.

## **Federalist Society**

The Federalist Society for Law and Public Society Studies is a group of conservatives and libertarians interested in the current state of the legal order. It is founded on the principles that the state exists to preserve freedom, that the separation of governmental powers is central to our Constitution, and that it is emphatically the province and duty of the judiciary to say what the law is, not what it should be. The student chapter presents speakers and sponsors forums on a variety of issues.

## **H.L.A. Hart Society**

The H.L.A. Hart Society was formed at the University of Arkansas in 1992 to encourage the community of law students, faculty and friends to engage in informal conversation regarding the law. Named for the Oxford legal philosopher who formed a similar society named for Jeremy Bentham, the Hart Society meets at least once every semester for a dinner with an invited speaker.

## **International Law Society**

The ILS was formed by law students to take part in the growth of international law in the school and in the legal market for Arkansas graduates, brought on by globalization and the rapid development of the trade, transportation and technology sectors of this region. It is affiliated with the American Society for International Law, and works closely with the faculty in international law. The chapter promotes an awareness of international legal opportunities for its members and sponsors events for the benefit of the Law School and University community, including lectures by visiting lawyers and foreign policy specialists and local faculty.

## **Lambda Legal Society**

Lambda Legal Society was established to promote fellowship, foster diversity among the student body, sponsor events concerning GLBT legal issues, serve as an outreach for all GLBT students, sponsor philanthropy in the community, and endeavor in research activities to promote equality.

## **Media, Entertainment & Sports Law Association**

MESLA was organized in 2003 to bring students in contact with practicing attorneys and professionals in each industry. MESLA works to expose students to job opportunities, national conferences, competitions and information on competing in each industry. MESLA serves the university community as a whole by providing informative lectures, debates and discussions on current topics in media, entertainment and sports law.

## **Student Bar Association**

The SBA is composed of all members of the student body. It provides many student services and sponsors a variety of academic and social activities. The officers of the SBA are elected by the student body at large.

## **Student Health Law Association**

SHLA members benefit from the insight and experience of former policy makers, health practitioners, and ethicists in applying the law to today's health care environment. Members seek to capitalize on the knowledge and experience they acquire while studying at the UA School of Law and ultimately will serve private (profit and non-profit), government, and pro bono clients as proficient health care lawyers. The goals of the organization are to provide an informal setting for conversations about health law and to bring information and speakers on health law to the Law School.

# **Legal Fraternities**

Three of the largest national legal fraternities, Phi Alpha Delta, Delta Theta Phi and Phi Delta Phi, maintain chapters in the Law School. The fraternities are both service and social groups. Fraternity activities range from maintaining a used book exchange to sponsoring social get-togethers. Membership is open to all interested students.



## Skills Competitions

The University of Arkansas School of Law is home to an exceptionally strong advocacy skills competition program. The successes of 2003-04 are largely attributable to the enormous investment of resources by the students themselves, faculty coaches and advisors, the School of Law administration, and members of the local bench and bar. Professor Donald P. Judges, Ben J. Altheimer Professor of Legal Advocacy, oversees the skills competition programs, but the students run the Board of Advocates, which helps organize the intraschool competitions, selects teams and provides all kinds of assistance and support to team members.

The skills competition program includes an impressive range of both intramural and interscholastic competitions. The School of Law holds two intramural Appellate Advocacy programs which cumulatively lead to the selection of five appellate moot court interscholastic competition teams. While most team members are third-year students, the School of Law has selected second-year students to participate along with third-year students in the Jessup International Law Competition. The intramural fall Moot Court is an exercise in oral advocacy skills, with the students being provided a "canned" problem. They compete individually. The top 32 students are invited to participate in the spring Ben J. Altheimer Moot Court Competition, which requires them to form two-person teams, write a brief, and argue both sides of that case multiple times before three-judge benches. The winners are eligible to represent the school in the National Moot Court Competition sponsored by the Bar of the City of New York.

In addition, the School of Law holds an intramural Trial Competition in the fall, out of which the top competitors are invited to try out for the two teams (each with two lead students and one alternate) that will compete in both the Henry C. Woods Trial Competition against UALR School of Law sponsored by the Arkansas Board of Trial Advocates, and the National Mock Trial Competition sponsored by the American Board of Trial Advocates and the Texas Young Lawyers Association. The School of law also sponsors two teams to compete in the Student Trial Advocacy Competition sponsored by the Association of Trial Lawyers of America.

The school also conducts an intramural Negotiations Competition and Client Counseling Competition (both of which are open to first-year students), from which we select the teams to compete against other schools in our region. Successful teams advance to nationals.

For 2003-04, the School of Law fielded a total of 30 students to participate in 10 regional and national competitions (including 12 students in Appellate Advocacy; 10 in Trial Competitions; 4 in Negotiations; and 4 in Client Counseling). Each interscholastic team's preparation for its

respective competition included numerous practice rounds before faculty, Board members, and sometimes local attorneys and judges. Our National Mock Trial Competition teams also scrimmaged against teams from the University of Tulsa School of Law. All University of Arkansas teams are accompanied to their regional and national competitions by a faculty coach - a level of support not provided at many other law schools.

Production of each of the intramural competitions is a substantial logistical undertaking that requires the students to perform a variety of leadership and organizational functions, in addition to their advocacy roles. In a number of respects, those tasks provide excellent hands-on training for the multiple roles students will later assume as practicing attorneys.

Of course, none of our programs would be possible without a prodigious amount of support from the bench, bar, faculty, School of Law Administration, and local community. Lawyers, jurists, and professors serve as competition judges and coaches. Local businesses donate refreshments. Some of our events are sponsored directly by friends of the School of Law. In particular, William H. "Buddy" Sutton provides funding for the fall Trial Competition; the partners in the law firm of Odom & Elliott provide scholarships for the winners of the fall Trial Competition and the members of the National Mock Trial Competition; Bobby McDaniel provided support for our ATLA team; and the Ben J. Altheimer Foundation sponsors our spring Moot Court.

A recent highlight of our programs was when both of the School of Law's teams advanced to the final round of the 2003 National Mock Trial Competition, Region IX in Columbia, Missouri. It was the first time in school history both teams advanced to the finals with the team of Clay Fowlkes, Raney English and alternate Jessica Middleton capturing the Regional title and advancing to the National competition in Houston. The team of Drew Ledbetter, Blake Rutherford and alternate Lance Wright was narrowly defeated in their final round in a hard-fought contest against a strong team from the University of Iowa to just miss setting up an all University of Arkansas contingent to be sent from our region to the national competition.

# Law Library

The Robert A. And Vivian Young Law Library is a client-oriented information center which serves as a depository for federal and state documents, United Nations materials, and court records. Traditional legal research books and materials are supplemented by electronic databases including: RIA Checkpoint, LegalTrac, Hein Online, CIS Congressional Universe, Lois Law, Versus Law, Westlaw, Lexis, and BNA's Core Collection. Legal research instructional sessions are offered throughout the fall and spring semesters, along with an assortment of reference services.

A campus-wide network and wireless technology provide law students with the equipment needed to handle word processing and on-line searching. A dedicated information technology staff also stands ready to assist students with a variety of computing services. A multi-million dollar law library addition will feature a state-of-the-art electronic instructional center and should be ready for use by Fall 2006.

Under the direction of Herb Cihak, whose biographical information appears in the faculty section of this publication, the Law Library strives to meet the needs and interests of the entire Law School, University and legal communities. The following biographical information introduces the other professional staff.

## Library Faculty

### **Lorraine K. Lorne** **Head of Technical Services**

Lorraine Lorne has been with the University of Arkansas School of Law since 1992. She received a B.A. from Alma College in 1972, a Master of Arts degree in librarianship from the University of Denver School of Librarianship in 1973, and a J.D. from the University of Detroit School of Law in 1986.

She worked at the Maryland Department of Legislative Reference as an assistant librarian, and was Associate Librarian for Technical Services at the Detroit College of Law Library. She is a member of the American Association of Law Libraries and of the Mid-America and Southwest Associations of Law Libraries and was recently elected to serve as member-at-large of the Technical Services Special Interest Section Executive Board of American Association of Law Libraries.



### **Monika Szakasits** **Head of Public Services**

Monika Szakasits is the new Head of Public Services in the Young Law Library. She received a J.D. from Baylor University in Waco, Texas, and has a master's degree in Library and Information Science from the University of Texas in Austin.

She came to the University of Arkansas from St. Mary's University in San Antonio, Texas, where she was the Associate Director and Legal Research



Instructor at the Sarita Kenedy East Law Library. Prior to her work in San Antonio, Ms. Szakasits was also a Reference Librarian and Legal Research Instructor for the University of Texas at Austin's Tarlton Law Library. She is a member of the State Bar of Texas, American Association of Law Libraries and the Southwest Association of Law Libraries.

### **Frederick Chan** **Cataloger, Government Document Librarian**

Frederick Chan started working at the Young Law Library as the Cataloger and Government Document Librarian in September 2003. A native of Hong Kong, China, he received his baccalaureate in French and History at University of Calgary, Alberta, Canada in 1979, and master degree in Library Science at the University of Missouri-Columbia in 1984. He worked in the San Antonio Public Library from 1984 to 1985, and Hong Kong Polytechnic Library from 1985 to 1989. For the decade prior to his coming to the Young Law Library, he worked at the Arthur W. Diamond Law Library at Columbia University in New York city from 1993 to 2003.



He is a member of the American Association of Law Libraries, the Mid-America Association of Law Libraries, and Southwestern Association of Law Libraries.

### **Catherine Peterson Chick** **Reference Librarian**

Catherine Chick has been with the Young Law Library since 1983. She received a B.A. in speech and hearing therapy and elementary education from Louisiana Tech University in 1975, and a master's degree in library science in 1980 from Louisiana State University Graduate School of Library Science. She worked at the Louisiana State University School of Veterinary Medicine Library.

She is a member of the American Association of Law Libraries, the Southwestern Association of Law Libraries and the Mid-America Association of Law Libraries.



### **James R. Jackson** **Reference Librarian**

Jim Jackson joined the faculty of the Young Law Library in 1996 and received tenure in 2002. He received a B.A. from Southern Methodist University in 1965, a J.D. from the University of Arkansas School of Law in 1976, and a master's degree in library and information studies from the University of Oklahoma in 1992.

He is a member of the Indian Librarians Association, the Mid-America Association of Law Libraries, and the American Association of Law Librarians. He has served on the Board of Directors of the American Civil Liberties Union of Northwest Arkansas, and the Board of Directors of Ozark Legal Services. He has participated as a pro bono attorney for Legal Aid of Arkansas (formerly Ozark Legal Services).



Young Law  
Library

The Graduate Program in Agricultural Law at the University of Arkansas is the only program in the United States that offers a Master of Laws (LL.M.) degree in agricultural law. Students enrolled in this unique and selective program have the opportunity for advanced study, creative research, and specialized professional training in the legal issues involved with agricultural production, marketing, and distribution. Graduates of the program are among the leaders of today's agricultural law community, working in private practice, government, agribusiness, public policy, and academia.

## What is Agricultural Law?

America is the world's most productive producer of food and fiber. With more than two million farms and the livelihood of one out of every five Americans linked to agriculture, the agricultural sector is one of our most important economic enterprises. Just as it is extraordinarily productive, however, American agriculture is also highly consumptive. The agricultural sector uses more of this nation's natural resources, including our land and water, than any other single industry. And, it is an industry that is increasingly challenged by complex new issues such as food safety, biotechnology and sustainability.

Agricultural law is the legal framework fashioned to foster and to regulate agriculture. More simply stated, agricultural law is the law that uniquely applies to the agricultural sector. Agricultural law encompasses virtually every other area of the law and focuses on the special rules and exceptions made for agriculture.

The study of agricultural law goes beyond an analysis of the "black letter" law. It looks at the effect that agricultural laws have on the industry and on the individuals within it, particularly farmers and ranchers. An understanding of agricultural law requires an understanding of agriculture, and ultimately, an understanding of what it is to be a farmer or a rancher.

Agricultural laws have largely served to foster the economic well-being of the agricultural sector, while at the same time attempting to reconcile competing interests. The study of agricultural law includes an examination of the agricultural policies that shape these laws. The debates over how our farming system should be structured, how we should allocate the natural resources used by agriculture, and how we should ensure food safety, are both contentious and enlightening. They force their participants to deal with some of the most important policy issues we now face and will continue to face in the future.

## Agricultural Law at the University of Arkansas

Located where the agriculture of the West, Midwest, and South merge, Arkansas provides an

ideal location for the study of agricultural law. Agriculture is the state's leading industry and the University of Arkansas is a leader in the agricultural sciences.

Recognizing the importance of agriculture to Arkansas and the surrounding region, the University of Arkansas School of Law founded the Graduate Program in Agricultural Law in 1981. This program exists today as the first and only comprehensive agricultural law degree program in the United States.

**The Graduate Program in Agricultural Law** is designed to prepare a small number of carefully selected attorneys as specialists in the legal problems of agriculture. Its objective is to provide students with the ability to deal at the highest professional level with the legal issues facing American agriculture. It attracts students from all over the United States and numerous foreign countries.

The University of Arkansas is also home to the **National Center for Agricultural Law Research & Information**. The National AgLaw Center is a congressionally funded research center charged with making available objective agricultural law information to the public. Students in the Graduate Program have the opportunity to work with attorneys at the Center on critical legal issues affecting agriculture through the award of Graduate Assistantships.

American agriculture is rapidly changing. The consolidation that is occurring at all levels in the sector is recasting who is involved in agriculture. Biotechnology, environmental concerns, emerging consumer interests and the globalization of the world's economy are but a few of the forces that will bring more changes. Graduates of the Agricultural Law Program are uniquely prepared to address the legal aspects of these changes and to help shape agriculture in the 21st century.

## Admission Requirements

All decisions concerning admission to the Graduate Program in Agricultural Law are made by the Agricultural Law Programs Committee. Domestic applicants for admission to the Graduate Program in Agricultural Law are expected to have earned a J.D. or LL.B. degree from a fully accredited school in the United States. Graduates from a law school in another country must have obtained their law degree or must otherwise be authorized to practice law in their home jurisdiction. All applicants should demonstrate academic excellence coupled with an interest in agricultural law issues. A law school grade point average of 2.5 or higher on a 4 point scale or the equivalent is expected.

Each applicant must complete an application form and admission statement and arrange for official copies of transcripts from all post-secondary educational institutions attended to be sent directly to the Graduate Program. Three letters of recom-

mendation must also be sent directly to the Director (four in the case of international students) from individuals who can attest to the applicant's academic and professional abilities. Applicants still in law school must submit at least two of these letters from current law professors. Other applicants should provide one letter from a former law professor. The Agricultural Law Programs Committee will make all admissions decisions and may, in appropriate cases, condition a candidate's admission as the committee deems appropriate.

## 'Nine-Hour' J.D. Students

A student at the University of Arkansas School of Law who is within nine hours of completing the total credit hours required for the J.D. degree may be conditionally admitted to the Graduate Law Program. This allows students to begin their LL.M. coursework during their final semester of law school. Credits are assigned to either the J.D. program or the LL.M. program and cannot be counted toward both degrees. In order to be admitted to the Nine-Hour Program, a J.D. student must:

- (1) obtain advance approval from the Agricultural Law Programs Committee;
- (2) obtain advance approval from the Director of the Graduate Law Program;
- (3) earn a grade of 2.5 or higher in each course to be applied toward the LL.M. degree.

A student who satisfies these requirements and who is subsequently awarded the J.D. degree will be admitted to the Graduate Program as a degree candidate, unless the Agricultural Law Programs Committee determines that there are substantial grounds for revocation of the conditional admission.

## Non-Degree Program

The Agricultural Law Programs Committee may permit an applicant with a degree from an accredited law school to take graduate-level courses for credit without being admitted as a degree candidate. Credits so earned are recorded as non-degree credits. If the student earning non-degree credits is

subsequently admitted as a degree candidate, the Agricultural Law Programs Committee shall in its discretion decide whether to permit prior credits to be applied toward the LL.M. degree.

## Degree Requirements Generally

To receive a Master of Laws degree in agricultural law, a candidate must:

- 1) complete a total of 24 semester hours of credit pursuant to a course of study approved by the Director of the Graduate Law Program; 2) maintain a cumulative grade point average of 2.50 or better (on a 4.00 scale); and, 3) conduct research in a specialized area of agricultural law and produce a written product for graded credit. The required written product can either be of the sort that is published in a law journal or, with the permission of the Director of the Graduate Law Program, a less traditional product that nevertheless demonstrates rigorous legal analysis, significant academic content and quality legal writing skills.

Graduate law students are expected to attend and to actively participate in all of their LL.M. classes. Course grades may reflect such classroom performance.

Candidates ordinarily will enter the program at the beginning of the fall semester; however, mid-year admissions may be permitted. Each degree candidate is expected to enroll in a minimum of eight semester hours during each semester in residence (excluding summer sessions) and may not enroll for more than 15 hours in any semester without the approval of the Director of the Graduate Law Program. Unless permission is granted by the Agricultural Law Programs Committee, all course work for the LL.M. degree, except for the research and writing requirement, will be completed within two semesters. All coursework, including completion of the research article, must be completed within four years of matriculation.

## Dual Degree Program

The Law School cooperates with the Department of Agricultural Economics

and Agribusiness in the Bumpers College of Agricultural, Food and Life Sciences to offer a dual degree program leading to the LL.M. in Agricultural Law and the Master of Science in Agricultural Economics.

Each program applies its own admission standards. For further information on the M.S. in Agricultural Economics degree program, contact the graduate program advisor at: 221 Agriculture Building, Fayetteville, AR 72701; (479) 575-2256.

## Course of Study

Upon first enrollment in the Graduate Program, each candidate works with the Director to develop a proposed course of study. Prior to each semester, the Director must approve the course program selected.

An effort will be made to accommodate each student's particular areas of interest. With the approval of the Director, a graduate student may take courses offered in the J.D. program (if not taken previously as a J.D. student) or courses offered for graduate credit elsewhere within the University, provided that there is a substantial relationship with agricultural law. Graduate students may be allowed to earn up to six credits through these alternative courses. All remaining credits must be obtained from the graduate law curriculum. Credit may not be granted for courses taken at other law schools.

## Courses

**Introduction to the Law of Food and Agriculture - (1 credit)** - An overview of the current issues affecting American agriculture, including a discussion of structural changes in agriculture, sustainability issues, and recent trends in the marketing of agricultural products.

**Agriculture & the Environment - (3 credits)** - A study of the application of environmental law to agricultural operations. Specialized topics include the USDA conservation programs, the regulation of concentrated livestock operations under the Clean Water Act, and a review of a wide range of environmental laws as specifically applied to agricultural operations.

**Agricultural Administrative**

**Procedure and Practice - (3 credits)** - A focus on administrative practice before the USDA and the judicial review of USDA actions. This includes a study of the federal domestic commodity programs, federal crop insurance, the Packers and Stockyards Act, the Perishable Agricultural Commodities Act, and federal marketing orders in the context of administrative rights.

**Food Law and Safety Regulation - (2 credits)** - Examination of the regulation of food products, emphasizing food safety regulations and emerging issues such as bioterrorism, food safety concerns, labeling, products liability, obesity litigation, nutrition regulation, food traceability, and the development of international food standards.

**Agricultural Cooperatives - (1 credit)** - Examination of the law governing the organization and operation of farmer-owned cooperatives, with an emphasis on "New Generation" value-added processing cooperatives. Among the topics covered are cooperative taxation and aspects of antitrust and securities law applicable to agricultural cooperatives.

**Agricultural Finance & Credit - (3 credits)** - A study of the legal issues surrounding the financing of agricultural operations, including credit availability, agricultural security issues under the Uniform Commercial Code, and debt restructuring opportunities.

**Agricultural Bankruptcy - (2 credits)** - An examination of bankruptcy law as applied to agricultural operations. Includes a study of the provisions of the Bankruptcy Code that provide for special treatment of farmers and an analysis of the application of Code provisions in a farming context.

**Agricultural Perspectives - (1 credit)** - Readings on a wide range of social and economic issues in American agriculture, past and present, with a consideration of how these issues have contributed to agricultural law and policy.

**Agricultural Labor Law - (2 credits)** - An introduction to the federal laws that govern the employment of agricultural workers, including wage and hour provisions, laws impacting migrant and seasonal farm workers, immigration issues, occupational safety and health, and child labor laws.

**Biotechnology & Agriculture - (2 credits)** - A study of the law and policy relating to the use of biotechnology in

agricultural production. Includes an introduction to the relevant intellectual property laws, a survey of agricultural biotechnology litigation, and a discussion of the role of government in regulating new technologies.

**Livestock Sales & Marketing - (1 credit)** - Consideration of the laws related to the sales and marketing of livestock, with particular emphasis on the Packers and Stockyards Act, changes in the livestock industry, and packer concentration.

**Agricultural Taxation - (1 credit)** - Study of agricultural business taxation issues, including the impact of business planning decisions on taxation.

**Agricultural Policy - (1 credit)** - A broad-based introduction to American agricultural policy with a consideration of the social, environmental and economic consequences of policy decisions.

**Agricultural Sales and Contracting - (1 credit)** - Consideration of the legal issues surrounding the sale and contracting of agricultural commodities. Includes discussion of

Articles 2 and 7 of the Uniform Commercial Code, bailment issues and warehouse laws, and the use of forward and production contracts.

**International Agricultural Trade - (1-3 credits)** - Examination of the law and policy regarding the international trade of agricultural products.

**Agricultural Law Seminar - (1 credit)** - Intensive coverage of a specialized topic in agricultural law not covered in an existing law course. For LL.M. students only.

**Advanced Agricultural Law Research - (1 credit)** - Instruction in advanced legal research techniques useful in agricultural law research, including computer-based research and access to government information. Students have an opportunity to explore research areas for assistance in thesis topic selection. For LL.M. students only.

**Master's Thesis in Agricultural Law - (1-4 credits)** - Research in a specialized area of agricultural law and the development of a scholarly article. For LL.M. students only.

"I have been developing international and comparative law expertise in agricultural law. I decided to enroll in the Graduate Agricultural Law Program here at the University of Arkansas School of Law to study the United States' agricultural law and policy. The Program for me is really completing the circle of what I want to be doing."



Mengesha Tadesse Seyoum (LL.M. '04)

# National Center for Agricultural Law Research and Information

The National Center for Agricultural Law Research and Information is a federally funded agricultural law research and information center located at the University of Arkansas School of Law in Fayetteville, Arkansas. Created by Congress in 1987, the Center fulfills its mission by conducting and sponsoring objective and authoritative agricultural and food law research and by providing bibliographic and other resources on agricultural law. Its publications are available through its Web site at [www.NationalAgLawCenter.org](http://www.NationalAgLawCenter.org).

The Center has received national recognition for its publications and agricultural and food research resources. Its Web site provides regular reporting on judicial and administrative developments and more in-depth analysis of various agricultural and food law issues. In 2001, Congress enhanced the Center's abilities to perform its mission by establishing a collaborative relationship between it and the Agricultural Law Center at the Drake University School of Law in Des Moines, Iowa.

Each academic year the Center employs students enrolled in the Graduate Program in Agricultural Law as Graduate Fellows. These Graduate Fellows, each of who have at least one law degree, help prepare Center research and information products. The Graduate Fellowships reflect the close relationship between the Center and the Graduate Program in Agricultural Law. The students selected to be Graduate Fellows gain valuable knowledge and skills researching and writing for the Center. The Center, in turn, benefits from the talents of these highly motivated lawyers who are intensively studying agricultural law.

## Professional Staff

### **Michael T. Roberts** **Research Associate Professor** **Director, National Agricultural Law Center**

Michael T. Roberts started as Director of the National AgLaw Center in June 2003. He also teaches food law and safety regulation. His primary research interests involve food safety and international food law. He previously taught as an adjunct professor international business law.

He received his law degree in 1989 from the University of Utah, where he was a member of the Law Review. His practice started with a national defense team of product liability lawyers and then as general counsel for an international marketing company. He graduated in 2001 from the Law School's Graduate Program in Agriculture Law and returned to Salt Lake City where he represented agribusiness clients throughout the West. He also chaired the agribusiness practice group in Lex Mundi, the largest international association of independent law firms.



### **Harrison M. Pittman** **Center Staff Attorney, Research Assistant Professor**

Harrison M. Pittman is a Center Staff Attorney and Research Assistant Professor of Law. Mr. Pittman earned his LL.M. in Agricultural Law from the University of

Arkansas at Fayetteville School of Law. He is a graduate of the William T. Bowen School of Law at the University of Arkansas of Law and a member of the Arkansas Bar.

Mr. Pittman supervises students who are enrolled in the LL.M. Agricultural Law Program and employed by the Center in preparing materials for Center publication, edits all articles published at the Center, writes many of the case summaries published on the Center Web site, and manages the content of the Center's Web site. He has authored articles on several subjects, including the Perishable Agricultural Commodities Act, Farm Commodity Programs, Conservation Programs, and the National Organic Program.



### **Doug O'Brien** **Senior Staff Attorney, Research Assistant Professor**

Doug O'Brien joined the Center as Senior Staff Attorney and Research Assistant Professor in June 2004. He is a graduate of the Graduate Program in Agricultural Law of the University of Arkansas School of Law.

O'Brien came to the Law School after three and one-half years as Minority Counsel for the Senate Agricultural Committee. In addition to duties at the Centers, he will teach courses in agricultural law at both the University of Arkansas School of Law and Drake University Law School.



### **Sally J. Kelley** **Center Librarian**

Sally J. Kelley is the Center's librarian, a position she has held since shortly after the Center was created. A Research Professor of Law Librarianship, Professor Kelley is responsible for the research assistance, bibliographic information, and the other library services provided by the Center. She has prepared numerous research guides, bibliographies, and web resources on agricultural law and related topics for the Center. Her publications include articles on Internet legal research. She coordinates the Center's participation in a national cooperative reference program. In addition, she has lectured on agricultural law research and has served on numerous committees of library and agricultural law organizations. She holds a B.A. and M.A.T. from Indiana University and an M.A. in Library Science from the University of Chicago.



### **Ann Winfred** **Publicity and Information Specialist**

Ann Winfred is the Center's Publicity and Information Specialist. She manages the Center's Web site, promotes the Center and its publications, and conducts the day-to-day business of the Center.



The curriculum at any good law school is always being studied and revised. Experimentation in the educational program is necessary to meet the needs of the future. The following pages describe the required and elective courses at the University of Arkansas School of Law.

## First Year

The first-year program is mandatory. It consists of required courses in broad areas of law to which all lawyers should have some exposure. The first year commences with an introductory program the week before the regular Law School classes begin. During this week students are introduced to the judicial process, legal history, legal writing, case analysis, the significance of precedent, the adversary system, and the role and responsibilities of the lawyer as an advocate. No separate academic credit is given but attendance is mandatory. The first-year courses are as follows:

### First Semester

<i>Legal Research &amp; Writing I</i> .....	3 credits
<i>Contracts I</i> .....	3 credits
<i>Criminal Law</i> .....	3 credits
<i>Property I</i> .....	3 credits
<i>Civil Procedure I</i> .....	3 credits

### Second Semester

<i>Contracts II</i> .....	3 credits
<i>Legal Research &amp; Writing II</i> .....	2 credits
<i>Torts</i> .....	4 credits
<i>Property II</i> .....	3 credits
<i>Civil Procedure II</i> .....	3 credits

## Required Upper-Level Courses

Students are required to take Legal Research & Writing III (2 credits) in their second year of Law School.

Constitutions Law (4 credits) is also required, and beginning with the Class of 2007, must be taken in the second year of Law School. Professional Responsibility (3 credits) may be taken in either the second or third year. In addition, all students must take at least one of the following 3-credit skills classes before graduation:

*Alternative Dispute Resolution*  
*Alternative Dispute Resolution in the Workplace*  
*Business Planning*  
*Conflict Resolution*  
*Drafting Legal Documents*  
*Interviewing, Counseling and Negotiation*  
*Legal Clinic (Federal Practice)*  
*Mediation in Practice*  
*Pre-Trial Practice*  
*Solo Practice Planning*  
*Trial Advocacy*

## Electives

Most of the curriculum in the second and third year is elective. This elective system allows students to choose courses that most interest them and that will be most useful in the types of careers they plan. The faculty has prepared a curriculum planning guide to aid students in making choices, and students are required to consult an advisor before registering for upper level courses.

Brief descriptions of the courses generally offered at the School of Law are set out below. Credit hours occasionally vary when a course is offered during summer school, and not every course is offered every year.

## Required Courses

### First Year:

**Civil Procedure I & II** - (3 credits each semester) - Study of the process of civil litigation from such preliminary matters as court selection and jurisdiction to appeal and collateral attack of final judgments. Some attempt is given to cover the antecedents of modern procedure; where appropriate, suggestions for reform are developed in class discussion. Emphasis is on the Federal Rules of Civil Procedure and on code pleading and common law procedure used in state court systems.

**Contracts I & II** - (3 credits each semester) - Formation and enforcement by litigation and commercial arbitration of commercial and family agreements. Covers mutual assent or consideration; third-party beneficiaries; assignments; joint obligation; performance; anticipatory breach; discharge of contractual duties; and the Statute of Frauds.

**Criminal Law** - (3 credits) - Deals with the questions of what conduct society punishes through a criminal code and the appropriate punishment for the forbidden conduct. In this context the course includes an analysis of the theories of punishment, the definitions of various crimes, the defenses available to one charged with criminal conduct, and the limitations placed by the Constitution on governmental power in the criminal law area. Throughout the course, special emphasis is placed on the appropriate role of the legislature and the courts, and the problems faced by them in devising and administering a criminal code.

**Legal Research & Writing I** - (3 credits) - An introduction to the special problems posed by legal analysis and the expression of the results of that process. The primary emphasis is on the techniques of basic legal analysis, the skills of basic legal writing, and proper citation form. Students complete a series of writing assignments.

**Legal Research & Writing II** - (2 credits) - An introduction to the persuasive writing for trial and appellate courts. Emphasis is on the techniques of intermediate library research and of basic computer research. Students also draft appellate briefs and conduct mock oral arguments.

**Property I & II - (3 credits each semester)** - Emphasis is on real property. Basic concepts are covered, including property rights in lost and found articles (general property concepts), types and historical origins of estates, and other interests in land. Property transfer techniques, such as gifts, leases and sales are considered. Land transfer techniques, including the land sale contract, the deed, the recording system, and methods of real property title assurance are discussed. Certain aspects of land use controls are explored briefly.

**Torts - (4 credits)** - Tort law governs the protection of persons and property against physical harm, whether intentional or negligent, under a variety of doctrines, including trespass, nuisance, negligence, deceit and conversion. A number of fundamental Anglo-American legal principles, such as duty, proximate cause, foreseeability, privilege, damages, injunctions, and functions of the advocate, trial judge, and appellate court, are developed in the context of the liability of builders, contractors, workers, manufacturers, dealers, railroads, and operators of motor vehicles.

## Required Upper-Level Classes

**Constitutional Law - (4 credits)** - An introduction to the basic principles of constitutional law and to current constitutional doctrines and problems. The primary focus is on the structure of the federal system and on the rights of individuals under the Due Process and Equal Protection clauses of the Fifth and Fourteenth Amendments. Students also are advised to take the elective course, First Amendment, to complete the study of constitutional law.

**Legal Research & Writing III - (2 credits)** - Small section experiences in legal research and writing, advanced legal research techniques and advanced writing assignments. This class must be taken before the end of the student's second year of Law School.

**Professional Responsibility - (3 credits)** - Study of the role of the lawyer as counselor, advocate, and public servant; obligation to society of the individual lawyer and the profession as a whole; ethical problems of the profession; representation of the unpopular cause and the undesirable client, the lawyer's obligation to law reform; the lawyer and the press; the lawyer in public service; and aspects of law office management.

## Elective Courses

**Administrative Law - (2 or 3 credits)** - Course is constructed around federal materials, but with some state references. Considers the origin and constitutional basis for the administrative process, and executive and legislative controls, with particular emphasis upon the judicial "control" of the administrative process (delegations, procedural and substantive due process, judicial assistance and enforcement and review of administrative decisions).

**Advanced Consumer Bankruptcy - (2 credits)** - Study of recent developments in the law of bankruptcy as it applies to consumers and consumer transactions. **Prerequisite:**

### Bankruptcy.

**Advanced Corporations - (3 credits)** - Covers special topics applicable to publicly traded corporations, including an introduction to corporate finance, securities law, tender offers, and mergers and acquisitions. Students with a special interest in corporate law or who anticipate representation of public corporations should consider taking this course.

**Prerequisite: Business Organizations.**

**Advanced Evidence - (3 credits)** - Study of the use of expert witnesses, forensic sciences and scientific evidence, organization of proof, burden of proof, presumptions, and the law of privileges. **Prerequisite: Basic Evidence.**

**Advanced Torts: Dignitary and Economic Harm - (2 credits)** - Covers defamation, the rights of privacy (including information privacy) and publicity, harm to family relationships, malicious prosecution and interference with common law civil rights. **Prerequisite: Torts.**

**Alternative Dispute Resolution - (3 credits)** - Deals with the alternatives to formal litigation for resolving various types of disputes, including negotiation, mediation and conciliation, arbitration, "rent-a-judge," and other special procedures. Areas of application include contract and tort disputes, community problems, labor relations, and medical practice controversies. Satisfies the skills requirement.

**Alternative Dispute Resolution Seminar - (2 credits)** - Alternate Dispute Resolution (ADR) includes the use of such settlement methods as mediation, arbitration, mini-trial, summary jury trial, early neutral evaluation, rent-a-judge, and others. It also includes the design and development of dispute resolution systems. Students will be expected to complete a paper and make a class presentation on some aspect of ADR and/or its application in a particular area, or a project such as designing a dispute resolution system.

**Alternative Dispute Resolution in the Work Place - (3 credits)** - Explores practical and legal problems presented by the use of alternative dispute resolution (ADR) to resolve employment disputes. The primary focus is on the enforcement of collective bargaining agreements and individual employment contracts through arbitration, and the use of arbitration to resolve statutory issues such as employment discrimination. There also will be some consideration of other forms of ADR such as mediation, fact-finding and peer-review systems. Satisfies the skills requirement.

**American Indian Law - (2 or 3 credits)** - Study of the domestic federal law of the United States as it applies to Native Americans and their tribes. The general concept of tribal self-determination is the unifying theme of the course. Particular topics may include tribal sovereignty and government; American Indian civil rights; administration of justice on and off the reservation; American Indian land claims; land, hunting, and fishing rights; water rights; American Indian health, education, and welfare; Bureau of Indian Affairs; state taxation; individual and tribal treaty rights; federal Indian policy; and zoning and environmental controls. May be taught as a course or a seminar.

**Antitrust Law - (3 credits)** - Study of federal antitrust laws and their relationship to concentrations of economic power in the contexts of monopoly mergers, price fixing, economic boycotts and discrimination, resale price maintenance, dealer franchises, and exclusive dealing. Class involves a comparative analysis of the free enterprise market and government-regulated industries.



**Arkansas Civil Practice - (3 credits)** - A detailed examination of civil procedure in Arkansas trial and appellate courts, building on the basic understanding of civil procedure. Emphasis is placed on Arkansas rules of civil and appellate procedure; state statutes dealing with procedure, jurisdiction, and venue; the division of labor between the circuit and chancery courts; and enforcement of judgments. Differences between Arkansas and federal civil practice also are explored. **Prerequisites: Civil Procedure I and II.**

**Bail to Jail - (3 credits)** - Deals with various aspects of the criminal justice system from the time of arrest to conviction. Includes a study of procedural and substantive rights and requirements.

**Bankruptcy - (2 or 3 credits)** - Study of insolvency law, with particular emphasis on federal bankruptcy law. **Prerequisite: Debtor-Creditor Relations.**

**Bankruptcy (Business Reorganizations) - (3 credits)** - Examines the rules and tactics governing the reorganization of a struggling business or farm under Chapter 11 of the Bankruptcy Code. Students will reorganize a hypothetical failing business as a part of the course. **Prerequisite: Bankruptcy.**

**Basic Evidence - (3 credits)** - Study of the rules of evidence under which trials are conducted; the methods by which items of evidence are admitted or excluded; and relevancy, real evidence, testimonial proof, and hearsay and its exceptions.

**Bioethics and the Law - (2 credits)** - A limited-enrollment seminar focusing on issues in law, medicine, and ethics. Coverage includes problems of human reproduction and birth (abortion, in vitro fertilization, and surrogacy); issues in human genetics; distributive justice issues in the allocation of organs for transplant; and life-and-death decisions (defining death, the "right to die," and physician-assisted suicide). A research paper is required.

**Business and Commercial Torts: Unfair Competition - (2 or 3 credits)** - Explores the relationship between competition and intangible property. Covers the entire spectrum of private remedies for competitive wrongs, including unfair competition, misappropriation of trade secrets, trademark infringement, false advertising, dilution of trade, misrepresentation of source, trade libel and business defamation, product disparagement and interference with contractual relations. **Prerequisite: Torts.**

**Business Law (Selected Topics) - (2 credits)** - Focuses on areas of current concern and issues that are emerging in the area of business law. Specific topics may vary from year to year. These might include such subjects as newly emerging business enterprises, regulation of professional business associations, special rules applicable to not-for-profit association and blue sky regulation. **May have prerequisites.**

**Business Organizations - (4 credits)** - Provides students with an overview of the different forms of business available under current laws. Includes a general review of basic agency principles, and focuses on all kinds of partnerships, limited liability companies, and closely held corporations. Students are strongly encouraged to include this class in their course of study.

**Business Planning - (3 credits)** - A simulation course introducing issues that arise in the representation of business clients, and focusing on the start-up phase of a new

business. Students participate in a number of simulation exercises, and draft a number of different documents. The course requires students to use their knowledge of various business forms in a simulated-client context. **Prerequisites: Business Organizations; Federal Income Taxation of Individuals.** Satisfies the skills requirement.

**Children and the Law Seminar - (2 credits)** - Topics include children as legal persons, including minors' right to expression under the First Amendment and their participation in decision-making in legal contexts; children's rights and school authority, including constitutional issues in school discipline and religious expression; foster care and its changing role; termination of parental rights; and adoption.

**Civil Rights and Civil Liberties - (3 credits)** - An examination of special problems involving civil rights and civil liberties. Coverage will vary, with the focus on an advanced understanding of constitutional guarantees in areas such as freedom of expression, church and state, substantive and procedural due process, specialized approaches to the protection of discrete or insular groups within society, and other related problems.

**Comparative Law - (2 or 3 credits)** - Study of selected foreign legal systems with a focus on the basic differences between those legal institutions and the Anglo-American common law system.

**Construction Law and Design - (2 or 3 credits)** - This class will explore the allocation of responsibility and liability among participants in the building construction industry, using both cases and problems to help students develop drafting, negotiating and dispute resolution skills in a transactional setting.

**Conflict of Laws - (1, 2, or 3 credits)** - Study of the legal principles involved in problems that have connections with two or more states requiring a choice of law; choice of law in federal courts, jurisdiction in multi-state situations.

**Conflict Resolution - (3 credits)** - Explores methods utilized in the legal professional for resolving disputes, other than trial before a judge or jury. Students develop skills by participating in simulation exercises designed to identify and apply processes. Class readings and discussion theory and practice are followed by student simulations. Satisfies the skills requirement.

**Corporate Practice Ethics - (2 credits)** - Study, preparation, and/or review of materials, documents, and matters frequently encountered during the representation of public and closely held corporations. Special emphasis on ethical issues associated with such legal work in light of the recent, highly publicized bankruptcies of several large public corporations and various related financial scandals.

**Prerequisite: Business Organizations. Advanced Corporations helpful but not required.**

**Corporate Finance - (3 credits)** - Study of basic issues relating to how corporations finance their operations over time. Includes an introduction to valuation and corporate accounting, focusing on basic balance sheets; a review of statutory rules applicable to dividends and other distributions; the study of issues concerning securities issued by corporations, including common and preferred stock, and debt securities such as bonds and debentures; and the study of mergers, other corporate combinations, takeovers, and takeover defenses. **Prerequisite: Business Organizations.**

**Criminal Justice Seminar** - (2 credits) - Study of the theories and practices relating to criminal legislation and incarceration. Will include a consideration of issues surrounding the death penalty.

**Criminal Procedure** - (3 credits) - Concerned with the legal steps through which a criminal proceeding passes, commencing with the initial investigation of a crime and concluding with the release of the defendant. Does not deal exclusively with constitutional problems, although considerable time is spent on them. Recent Supreme Court decisions receive special emphasis. Does not deal with criminal trial tactics or with many of the special problems relating to the introduction of evidence at the trial. **Prerequisite: Criminal Law.**

**Debtor-Creditor Relations** - (4 credits) - Study of Article 9 of the Uniform Commercial Code and of remedies of unsecured creditors.

**Decedents' Estates** - (4 credits) - Study of the traditional areas of wills and trusts (intestate as well as testate succession). The trusts area includes both the private trust and the charitable trust. Taxation problems are not covered in depth, being reserved for the course in Federal Estate and Gift Taxation.

**Discrimination in Employment** - (3 credits) - An examination of federal constitutional, statutory, and administrative restrictions that prohibit or limit employers, unions, and employment agencies from discriminating on the basis of race, sex, religion, age, national origin and color. In addition to the substantive scope of federal law, emphasis is given to enforcement procedures and remedies.

**Domestic Relations** - (3 credits) - Devoted primarily to the problems generated by family relationships. There is a large section on formation and dissolution of marriage. Substantial time also is given to paternity and legitimacy, obligations toward and of children, custody, adoption, guardianship, general property law as it is affected by family relationships, and divorce and custody in the federal system (focusing primarily on enforceability of decrees in one state by courts sitting in another state.)

**Drafting Legal Documents** - (3 credits) - The study and practice of principles applicable to drafting of non-litigation documents, such as contracts, wills, and legislation. Satisfies the skills requirement.

**Education Law** - (3 credits) - Study of law as it applies to public education in America, including the theory of compulsory education, constitutional rights of students and teachers, school financing, and equal opportunity in education.

**Elder Law** - (2 or 3 credits) - A survey of important legal issues affecting the elderly, including: aging patterns and statistical profiles; age discrimination in employment; health care financing; health care decision-making; abuse and neglect of the elderly.

**Employment Law** - (3 credits) - Overview of the law governing various aspects of the employment relationship, both statutory and common law. Covers the establishment and parameters of employment, the security of the worker, employer's rights, terminations.

**Entertainment Law** - (2 or 3 credits) - Examines the legal principles and relationships of the entertainment industry, with primary emphasis on the music industry; provides an introduction to the practice of entertainment law and negotiation of entertainment contracts; highlights a variety of legal and practical issues arising from the field.

**Environmental Law** - (3 credits) - Devoted primarily to the legal problems related to the environment, including environmental impact in public and private decision-making.

**Estate Planning** - (2 credits) - Study of the role of lawyers (including ethical considerations) in fact-gathering and analysis of data; testamentary and non-probate transfers; planning for incapacity; Medicaid, income and transfer tax considerations in small and large estates; gift techniques; and planning for the surviving spouse; revocable and irrevocable trusts; life insurance; disposition of business interests; post-mortem tax planning. **Prerequisite: Decedents' Estates, or Federal Estate and Gift Taxation.**

**Family Law Topics Seminar** - (2 credits) - Focuses on areas of current concern and issues emerging in family law, such as the regulation and effects of divorce, abortion, and surrogate parenthood. Critical examination of various theories of the family's interconnectedness with society.

**Federal Estate and Gift Taxation** - (3 credits) - Fundamentals of the federal estate and gift transfer tax system. Topics include the determination of gifts for tax purposes, amounts included in decedents' gross estates, valuation, deductions and credits

**Federal Income Taxation of Individuals** - (3 credits) - Fundamentals of the federal income taxation of individuals. Topics covered include gross income, deductions, assignments of income, basis, taxation of property transactions, and tax accounting.

**Federal Income Taxation of Business Entities** - (3 credits) - Focus on tax issues in business formation, operation, distributions, and liquidations. **Prerequisite: Federal Income Taxation of Individuals.**

**Federal Income Taxation of Trusts and Estates** - (2 credits) - Federal income taxation of simple and complex trusts, decedents' estates, and grantor trusts. Topics include determination of income and deductions, allocation of income, grantor trust rules, and income in respect of a decedent. **Prerequisite: Federal Income Taxation of Individuals.**

**Federal Jurisdiction** - (3 credits) - Topics usually include constitutional limits on the jurisdiction of federal courts as well as limitations imposed by Congress. The relations between state courts are studied as are problems in diversity and federal question jurisdiction. Removal procedure is studied, and if time permits, attention is given to venue and related problems.

**First Amendment** - (3 credits) - An intensive examination of the legal issues arising under the First Amendment to the United States Constitution, with an emphasis on basic free speech doctrines and the dilemmas posed by interplay between the free exercise and establishment clauses. **Prerequisite: Constitutional Law.**

**Health Law** - (3 credits) - Examination of topics at the intersection of law and medicine, including medical malpractice and liability of health care institutions, informed consent and patients' rights; professional licensure and employment relationships in health care, health care cost and access problems, and life-and-death decisions. Course requirements typically may be fulfilled by either a paper or an examination.

**Health Law & Public Policy** - (2 credits) - The course examines the impact of various aspects of law upon policy and practice in the health field. The legal interests and rights of patients, physicians, and the public, as well as those of hospitals, will be a primary concern of this course.

**Immigration Law & Policy - (3 credits)** - Study of immigration and nationality, including exclusion and deportation; political asylum and refugee status; visa allocation and distribution; labor certification; naturalization and citizenship. It is recommended that Administrative Law be taken first.

**Independent Legal Research - (1, 2, or occasionally 3 credits)** - Independent legal research conducted under the supervision of faculty members. Ordinarily, a student may not accumulate more than two credit-hours for independent legal research. This cumulative maximum may be exceeded only by special permission of the Associate Dean of Academic Affairs, who in exceptional circumstances may approve a cumulative maximum credit of three hours of credit for independent legal research.

**Insurance - (3 credits)** - Study of casualty, fire, and life insurance. Major areas include the duty to defend; the duty to settle within policy limits; the definition of what is covered under the policy, insurance marketing, insurable interests; the measure of recovery, disputes between insurers, defenses such as fraud, concealment, and non-cooperation; and government regulations of insurance.

**Intellectual Property - (2 or 3 credits)** - This two- or three-credit hour class involves a survey of topics in intellectual property, including copyright, trademark, patent, and unfair competition issues.

**International and Domestic Sales and Leasing - (3 credits)** - Study of Articles 2 and 2A of the Uniform Commercial Code and the United Nations Convention on Contracts for the International Sale of Goods.

**Interviewing, Counseling and Negotiation - (3 credits)** - Develops fundamental lawyer's skills using role-play in simulation exercises that are videotaped and critiqued. Focuses on interpersonal dynamics in client representation, techniques for fact investigation, and creative decision-making. Satisfies the skills requirement.

**Judicial Externship - (3 credits)** - Student works the equivalent of 16 hours per week during the semester under the direct supervision of a judge approved by the faculty and the externship coordinator. Student will work on assigned cases, doing research, preparing memoranda and (when feasible) attending conferences with counsel conducted by the judge. Only third year students may enroll in this class.

**Jurisprudence - (2 or 3 credits)** - Study of ideas/methods of law, regardless of particular questions that might be resolved by the law.

**Juvenile Justice Seminar - (2 credits)** - Examines procedural and substantive law in the context of the distinctive goals, structure, and procedure of the Juvenile Court. Special attention is given to alternative ways of dealing with two categories of juveniles, i.e., status offenders who are within the jurisdiction of the court although not accused of criminal conduct, and youthful offenders who commit serious crimes.

**Labor Relations in the Private Sector - (3 credits)** - Study of the right to organize, organization of labor unions, strikes, picketing, boycotts, collective bargaining, collective labor agreements and their enforcement, unfair labor practices by employers and by unions, the union member and his union, state labor relations legislation, the National Labor Relations Act and the Labor Management Relations Act.

**Labor Relations in the Public Sector - (3 credits)** - Study of the historical development of labor organizations among public employees; the right to form and join unions; determination

of the appropriate unit and establishment of the collective bargaining relationship; the duty to bargain and its scope; union collective actions; the settlement of collective bargaining impasses; union security and public employment; and the administration of the collective bargaining agreement.

**Land Use - (3 credits)** - Covers public land use controls such as zoning, subdivision regulations, and eminent domain (including property rights, takings, and inverse condemnation). Heavy emphasis is placed on planning at state and local levels.

**Law & Accounting - (2 credits)** - Study of basic accounting principles and their importance to attorneys engaged in business-related activities. Topics include fundamental accounting equation, the nature of accrual accounting, financial statements, and accounting for assets and liabilities. Also includes a review of basic principles associated with financial statement analysis and evaluation. Intended for students with little or no business training; may NOT be taken for credit by students who have previously earned 6 or more hours of undergraduate or graduate credit in accounting courses.

**Law & the Internet - (3 credits)** - A survey course dealing with an array of legal issues surrounding the Internet, including contract, crime, copyright, free speech, and privacy.

**Legal Clinic (Civil Practice) - (3 credits)** - Students develop skills by working with actual clients in nearby civil courts. Students interview clients, counsel them, negotiate, and litigate. The Legal Clinic faculty supervise and review the students' work, and provide personal feedback to individual students.

**Prerequisites: All students must be certified under Rule 15, which means they must have completed 48 hours including all first year classes; Criminal Procedure, Professional Responsibility, and Basic Evidence. Trial Advocacy is also a prerequisite.**

**Legal Clinic (Criminal Defense) - (3 credits)** - Students develop skills by representing actual clients charged with misdemeanors in Washington County and nearby counties and clients charged with felonies and misdemeanors in Washington County Juvenile Court. Students interview clients, counsel them, negotiate, and litigate. The Legal Clinic faculty supervise and review the students' work, and provide personal feedback to individual students. **Prerequisites: All students must be certified under Rule 15, which means they must have completed 48 hours including all first year classes; Criminal Procedure, Professional Responsibility, and Basic Evidence. Trial Advocacy is also a prerequisite.**

**Legal Clinic (Criminal Prosecution) - (3 credits)** - Students extend and refine their lawyering skills, knowledge of substantive law, and mastery of criminal procedure through prosecution of misdemeanors on behalf of the State in Municipal Court. Students are fully responsible for the cases assigned to them. Their responsibilities include assessing the charges and investigation by law enforcement, interviewing witnesses, conducting discovery, evaluating cases for an agreed upon resolution, negotiating with defense counsel and pro se defendants, responding to suppression and other defense motions, trial preparation, and trying cases to the court. The Legal Clinic faculty supervise and review the students' work, and provide personal feedback to individual students.

**Prerequisites: All students must be certified under Rule 15, which means they must have completed 48 hours including all first year classes; Criminal Procedure, Professional Responsibility, and Basic Evidence. Trial Advocacy is also a prerequisite.**

**Legal Clinic (Federal Practice) - (3 credits)** - Students receive clinical legal experience in federal courts and before federal administrative agencies. Although the particular experiences vary, Chapter 7 (no asset) bankruptcies and farm foreclosures are often emphasized. **Prerequisites: Professional Responsibility. In addition, all the requirements for other clinics are usually prerequisites to participation in this clinic, so that students must normally have completed 48 hours including all first year classes; Criminal Procedure, Professional Responsibility, Basic Evidence, and Trial Advocacy. In unusual circumstances, however, these requirements may be waived in the discretion of instructor.** Satisfies the skills requirement.

**Legal Clinic (General Practice) - (3 credits)** - Students integrate, extend, and refine their legal knowledge and lawyering skills through representation of clients in state civil cases before the Arkansas Circuit and Chancery Courts, in cases before the U.S. Bankruptcy Court, and in administrative cases before Administrative Law Judges, and through prosecution of criminal misdemeanor cases. Students are responsible for all aspects of the representation, including interviewing, counseling, negotiation, pleading and discovery practice, and trial advocacy. This course offers students a practice experience similar to that experienced by many lawyers practicing in small to medium sized firms in Arkansas and other states in the region. **Prerequisites: All students must be certified under Rule 15, which means they must have completed 48 hours including all first year classes; Criminal Procedure, Professional Responsibility, and Basic Evidence. Trial Advocacy is also a prerequisite.**

**Legal History - (3 credits)** - Investigation of English and American legal institutions and doctrines. Emphasis on legal developments in colonial America and in the nineteenth century.

**Legislation - (3 credits)** - Basic introduction to constitutional principles applicable to the legislative process (apportionment, qualifications for office and lobbying regulations); general procedural requirements for legislative enactments; and the construction of statutory enactments.

**Mediation in Practice - (3 credits)** - Trains students to mediate disputes, and to represent clients in mediation or settlement. Students will be introduced to basic mediation theory, procedures, and ethical constraints, and in communication techniques and strategies. This training will include lectures, discussion, and simulation exercises or actual mediation. Satisfies the skills requirement.

**Mental Health Systems and the Law - (3 credits)** - Topics arising out of the intersection between law and mental health. Content will vary from semester to semester to include the legal duties and liabilities of mental health professionals, access to mental health services, evidentiary issues, mental disability and criminal law (including criminal responsibility and sentencing), civil commitment, and competency in the civil and criminal systems.

**Negotiable Instruments - (3 credits)** - Study of Articles 3 and 4 of the Uniform Commercial Code dealing with negotiable instruments and bank deposits and collections.

**Oil and Gas - (3 credits)** - Study of the law of oil and gas with emphasis on the interests that may be created in oil and gas, the rights of the landowner, provisions in the oil and gas lease, the rights of assignees, and legislation dealing with production and conservation.

**Patent Law - (2 or 3 credits)** - Study of the patent system

of the United States, including conditions for a valid patent, procedures of the patent office, and litigation relating to patents.

**Poverty Law - (2 or 3 credits)** - History of anti-poverty programs, the constitutional requirements for such programs. Legal and administrative characteristics of major American income-maintenance programs. **Prerequisite: Constitutional Law.**

**Pre-Trial Practice - (3 credits)** - Develops fundamental lawyer's skills, using role-play in simulation exercises that are videotaped and critiqued. Focuses on development of case theory, fact gathering, use of discovery tools and case planning. May be taught so as to satisfy the skills requirement.

**Product Liability - (2 or 3 credits)** - A course in advanced tort law and litigation. Includes theories of product defect (manufacturing, marketing, and design defects), proof of causation, damages, federal preemption of state-law claims, and special features relating to corporate liability. Course requirements typically may be fulfilled by either a paper or an examination.

**Public International Law - (3 credits)** - Study of principles of international law involving relations among governments, and the function of international tribunals and organizations.

**Public Lands Law - (3 credits)** - The law governing the use of federal lands and resources. Resources surveyed are watershed, minerals, forests, range, wildlife, recreation and wilderness. Issues involve both private rights and public interest in common property.

**Real Estate Transactions - (3 credits)** - Focuses on the transfer, financing, and development of real estate. Topics include the sale of land and conveyances of real property; mortgages; and the planning, financing, building and marketing of modern real estate developments.

**Remedies - (3 or 4 credits)** - Covers equity (jurisdiction and powers of courts of equity, injunctions, including adequacy of legal remedies, balancing of equities, interests protected, and defenses), damages (compensatory, exemplary, and nominal damages; direct and consequential damages; mitigation; special application in contract and tort actions), and restitution (relief afforded by the judicial process, to prevent unjust retention of benefits). Recommended especially for third year students.

**Securities Regulation - (3 credits)** - Study of the regulation of issuance of and trading in stocks, bonds and other securities by federal and state agencies, with particular reference to the SEC.

**Sentencing and Post-Conviction Remedies - (3 credits)** - Law, theory, and practice of sentencing, habeas corpus, other post-conviction remedies (exclusive of appeals), and the adult criminal justice institutions of corrections, parole, and probation.

**Social Legislation - (3 credits)** - Examination of the various statutes (exclusive of employment discrimination laws) governing employees and employers, including unemployment, COBRA, EPPA, ERISA, FLSA, OSHA, USERRA, and WARN.

**Solo Practice Planning - (3 credits)** - Combines elements of professional responsibility and law practice management. A planning course intended for students who plan to practice as a solo or in a small law office with few other attorneys. Satisfies the skills requirement.

**Sports Law - (2 or 3 credits)** - Major topics include significant contract issues, tort liability involving participants,

institutions, physicians and equipment manufacturers, criminal liability, drug testing, constitutional and related issues dealing with sports associations and Title 9 and gender equity issues.

**Supreme Court Seminar** - (2 or 3 credits) - An examination of the unique role and responsibilities of the Supreme Court of the United States, including its jurisdiction and procedures, theories of judicial review, and the political and social role and impact of the Court.

**Terrorism, National Security and Human Rights Seminar** - (2 credits) - This course will introduce students to international human rights law and international humanitarian law as they apply to terrorism and the war against terrorism. A particular focus will be on U.S. foreign policy and its implications in this context.

**Trial Advocacy** - (3 credits) - An introduction to actual trial work and trial techniques through simulated exercises and the conducting of a mock trial. **Prerequisite: Basic Evidence.** Satisfies the skills requirement.

**Water Law** - (3 credits) - Deals with the real property principles that govern ownership rights in water and the federal and state statutes and regulations that control the use of water.

**Workers' Compensation** - (2 or 3 credits) - Study of state legislation providing remedies for workers injured in the course of their employment.

**WTO, NAFTA, & the EU** - (3 credits) - The problems of doing business abroad are considered from the standpoint of the regulation of foreign trade and direct investment, with a particular emphasis being placed on the World Trade Organization, the North American Free Trade Agreement, and the European Union.

## Additional Courses

The faculty also offers a number of other courses and seminars in specialized areas from time to time. These courses and seminars are not offered on a regular basis but might be taught in any given year. Visiting and adjunct professors and professors

from other colleges on campus may also teach such additional classes, typically in response to expressions of student interest.

## Study Abroad

In recent years, the University of Arkansas School of Law has participated in two study abroad summer programs.

The first of such programs is the Cambridge Summer Study Program, which is a fully ABA-accredited program jointly sponsored by Downing College of Cambridge University and the University of Mississippi School of Law, in consortium with the University of Arkansas School of Law, the University of Tennessee College of Law, and the University of Nebraska College of Law. Summer 2004 course offerings in this program include International Law, International Commercial Litigation, Comparative Trusts and Estates, Comparative Arbitration Law, Comparative Copyright Law, and The Law of War: A Comparative Study, each of which is offered for two credit hours. Students may enroll in a maximum of three classes.

The second of our study abroad programs is the St. Petersburg Summer Law Institute, also fully ABA-accredited and jointly sponsored by the Cleveland-Marshall College of Law at Cleveland State University and the University of Arkansas School of Law. Students in this program enroll in an intensive, five-credit course entitled Russia, the United States and World Interdependence. Segments of this class are taught in a series of inter-related modules either one or two weeks in length.

**Eligibility Standards** - Students who have completed the first year of Law School and who are currently in good standing are eligible for admission.

**Financial Aid** - Federal or other student loans may be available. Interested students should contact the Office of Financial Aid for information.

For additional information about the program, contact: Rhonda Adams, Assistant Dean for Administration, University of Arkansas School of Law, Fayetteville, AR 72701. Her e-mail address is rhonda@uark.edu.



Mike Armstrong (Board of Advocates Chairman 2004-05)

"If you're thinking of a career in litigation and oral advocacy, this is the law school for you. The annual competitions showcased by the Board of Advocates, along with a dedicated faculty that brings decades of real world experience and expertise, provide one of the finest programs in the country dedicated to producing top-notch litigators that can quickly and successfully make the transition from the classroom to the courtroom."

# Legal Research and Writing Program

Lawyers consistently rate skills in research, writing and oral communication as critical to the successful pursuit of their careers. Students at the University of Arkansas School of Law are offered a strong program in legal research and writing that starts them on their way to developing expertise in these vital areas.

In 1992, the School of Law revamped its program to include three required semesters of LRW. The program now begins during Orientation Week with a 12-hour introductory curriculum. In sections of 25-30, students are introduced to the state and federal legal systems, read and brief cases, begin using the law library, and start dissecting judicial opinions and debating their application to a hypothetical client's problem. LRW continues through the fall semester with a focus on basic research tools and strategies, and on objective legal analysis and memoranda.

Full-time faculty review student drafts, provide written notes, and meet with students regularly one-on-one through the term to assist them with their work. In the spring semester, students try out their advocacy skills, writing an appellate brief and arguing their client's position before a "court" of local attorneys who volunteer their time each year.

The third semester of LRW exposes students to client letters, pleadings, motions, trial level briefs, and non-litigation drafting. Taught in seminar-sized groups of 15, students may be asked to research and present a "CLE" for the class on a practice-oriented subject, or they may try their hands at negotiation and drafting of a settlement agreement.

Elective upper-level opportunities for research and writing also abound. Many faculty members teach seminars involving research and writing projects. Several skills classes, such as Drafting Legal Documents and Business Planning, incorporate substantial drafting assignments.

The School of Law's talented LRW faculty contribute to the program's strength, and have also

enhanced the Law School in many areas.

Professor Kathryn A. Sampson coaches the school's National Moot Court team, has taught Elder Law and Insurance law, and has chaired the University's Distinguished Lecture Committee.

Professor Kim Coats coordinates the Trial Competition, teaches a fall series of workshops on class preparation and exam skills, and coaches two moot court teams.

Professor Sharon E. Foster has added expertise in International Law, offering a five week mini-course in International Legal Research and teaching International Business Transactions. After her arrival, the Law School began fielding a Jessup International Moot Court team, which she helps coach. She also advises the Women's Law Student Association and coaches the Negotiations team.

Professor Ann Killenbeck joins the LRW faculty for the 2004-05 year after a year as a Visiting Professor here. Professor Killenbeck previously taught in the legal writing curriculum for four years, and has taught Social Science and the Law.

Professor Terry Jean Seligmann directs the LRW program and coaches the Vanderbilt Moot Court team. She researches and writes on special education law and teaches Education Law. She is active nationally and assumed the position of President of the Legal Writing Institute in July 2004.

The prominence of the School of Law's LRW program is well-established.

"I went from an Army STRAC unit to law school in September of 1962. We had been on maneuvers for over a year, and I thought no one could intimidate me - and then I met Dr. (Robert A.) Leflar. He was without question the best professor and role model any of us could ever have had. Law school was a special time with special professors and students. I have kept up with most of them over the years, and that has been more pleasurable than law school days. Law school made opportunities available that I do not believe I could have obtained anywhere else."



Robert T. Dawson ('65)  
District Judge, Western  
District of Arkansas

"We recently received a letter from another school which is redesigning their LRW program," Seligmann said of the Law School's LRW program and faculty reputation. "It asked us, as one of those schools which were known to follow the 'best practices' in the field, to share our expertise. Because of the support of the University of Arkansas' faculty and administration, alumni and students, LRW has become one of the school's many strengths. It's great to know that the word has spread to others."

## Richard B. Atkinson, B.A., M.Div., J.D.

### Dean of the School of Law

Richard Atkinson received his B.A. from Duke University in 1966, where he graduated Phi Beta Kappa. In 1971 he received a master's degree in divinity from Yale University and received a J.D. from Yale in 1974. He was admitted to practice in Georgia and was an associate with the law firm of King and Spalding in Atlanta. He joined the University of Arkansas Law faculty in 1975 and became Dean in 2003. His primary teaching and research interests are in the areas of Property, Real Estate Transactions, and Wills and Trusts.

Dean Atkinson has won numerous teaching awards. Most recently he was selected by the students as Professor of the Year for the 2003-04 academic year. He was similarly honored in both the 2002-03 and 2000-01 academic years. He has frequently been the chair of the Faculty Appointments Committee and has given bar review lectures around the nation. He served as Interim Dean of the Law School for the 1990-91 academic year, chaired the Dean Search Committee in 1991 and again in 1998. He has served on numerous state committees, including a stint as chair of the Workers' Compensation Reform Commission. He has been a Visiting Law Professor at the University of North Carolina, Emory University, and Georgia State University.

He is currently Chair of the Board of Trustees of Washington Regional Medical Center where he has been a board member since 1980.



## Carlton Bailey, B.A., J.D.

### Associate Professor of Law

Carlton Bailey received his B.A. from Talladega College and his J.D. from the University of Chicago. He practiced law in Minneapolis, Minn., for six years before moving to Fayetteville to teach at the University of Arkansas School of Law. He has been a tenured faculty member since 1983.

Professor Bailey has served as the Director of the Law School Legal Clinic and has taught Criminal Procedure, Trial Advocacy, Pre-Trial Skills and Basic Evidence. Recently, he has published "Ake v. Oklahoma and An Indigent Defendant's Right to An Expert Witness: A Promise Denied or Imagined?," Vol. 10, *William & Mary Bill of Rights Journal* (Spring 2002), "Daubert v. Kumho: Two Cases Creating One Confused Standard," 20 *ATLA Docket* (Winter 2001), and "Arkansas Adopts a Second Admissibility Test for Novel Scientific Evidence: Do Two Tests Equal One Standard?" Vol. 56, Issue 1, *Arkansas Law Review* (2003).

Bailey's recent writings have focused on pre-trial discovery, expert testimony and indigent rights. A winner of a 2003 graduation award for hooding, he is currently working on a book, *Arkansas Rules of Evidence for the West Group*.



M&M Press published his book on *Discovery in Arkansas* in 1994.

Bailey has also served on a myriad of university and state committees, including the Arkansas Supreme Court's Committee on Professional Conduct.

## Lindlee Baker, A.B., M.Sc., J.D.

### Clinical Associate Professor of Law

Lindlee Baker teaches in the Law School's clinical programs. She teaches the criminal prosecution and the criminal defense clinics. Additionally, she serves as the faculty supervisor for the Prosecution Externship.

After graduating from Law School, Professor Baker clerked for Justice Steele Hays of the Arkansas Supreme Court. She practiced law in Fayetteville with Mashburn & Taylor (now the Taylor Law Firm) before joining the clinical faculty in 1994. While in practice, she focused on criminal defense, domestic relations, and appellate practice.

Professor Baker is a graduate of Georgetown University (A.B. Economics 1981), The London School of Economics (M.Sc. Economics 1985) and the University of Arkansas School of Law (J.D. 1988, with honors).



## Lonnie R. Beard, B.A., J.D., LL.M.

### Professor of Law

Lonnie Beard began teaching at the Law School in 1983. He has served as the Director of the Graduate Law Program, 1994-2000, and has twice served as Associate Dean for Academic Affairs. His primary teaching and research interests are in the area of taxation, particularly the taxation of business entities.

Professor Beard has twice served as a Special Associate Justice on the Arkansas Supreme Court. His practice career included stints as a trial defense attorney with the U.S. Army as a Judge Advocate, and with a small firm in San Diego, where his work was primarily in the areas of business and estate planning.

He received his B.A. at Arkansas State University, his J.D. at the University of Arkansas, and his LL.M. from New York University. He was admitted to practice in Arkansas and Iowa in 1975, and California in 1979.



## Howard W. Brill, A.B., J.D., LL.M.

### Vincent Foster Professor of Legal Ethics and Professional Responsibility

Howard W. Brill, who came to the Law School in 1975, is the first Vincent Foster Professor of Legal Ethics and Professional Responsibility. His primary teaching areas are Professional Responsibility, Remedies, Civil Procedure, and occasionally Domestic Relations and a special topics course on Baseball and the Law.

After graduating from Duke University, he taught

English language and African literature as a Peace Corps Volunteer in Sokoto, Northern Nigeria. Professor Brill graduated from the University of Florida Law School, where he was the editor-in-chief of the law review, and later earned a graduate degree from the University of Illinois. In addition to practicing with a small firm in Rock Island, Ill., he has taught at the Universities of Florida, Illinois, North Carolina, South Carolina and Tennessee. In connection with the Law School's summer programs, he has taught in Cambridge, England and St. Petersburg, Russia.

His publications include *Arkansas Law of Damages* (4th edition) and *Arkansas Professional and Judicial Ethics* (6th edition). He has served on Gov. Clinton's Commission on Ethics and Gov. Tucker's Ethics Task Force. Along with other court and bar association committees, he serves on the Professional Ethics and Grievances Committee of the Arkansas Bar and the Judicial Ethics Advisory Committee and prepares advisory ethical opinions for attorneys and judges. On several occasions he has served as a Special Associate Justice of the Arkansas Supreme Court.

Since 1995, Brill has been the University's representative to the NCAA and the Southeastern Conference, fulfilling both academic certification and compliance roles.

## Chauncey Brummer, B.A., J.D.

### Professor of Law

Professor Brummer received his undergraduate degree from Howard University and his J.D. at the University of Kentucky. He was a Reginald Heber Smith Fellowship Attorney at the Louisville Legal Aid Society. He served as attorney and general solicitor for the Louisville and Nashville Railroad Company.

Professor Brummer taught at the University of North Carolina at Chapel Hill from 1979-1982 before coming to the University of Arkansas School of Law, where he teaches Torts, Domestic Relations and Juvenile Law. He is a member of the Kentucky, National and American Bar Associations. He serves on the Board of Directors at Ozark Guidance Mental Health Center and the Northwest Arkansas Advisory Board of the Salvation Army.



In 1995, he was selected as an American Council on Education Fellow and served for one year with the University of Missouri - Kansas City senior administration.

Brummer served as Deputy to the Chancellor of the University of Arkansas from January 1998 to July 1999. In that capacity he advised the Chancellor on a number of issues affecting the University. He has also served as Special Assistant to the Chancellor and Interim Associate Vice Chancellor for Faculty Development.

## Herbert E. Cihak, B.A., M.A., J.D., M.L.S.

### Director of the Law Library and Professor of Law

Herb Cihak began his service as Director of the Young Law Library and Professor of Law after serving as the Associate Vice Chancellor for the Library and Information Technology at Louisiana State University Law Center from 2001-2004. He has a J.D. from Nebraska and masters degrees in political science and library science from Brigham Young University in Provo, Utah.

Professor Cihak was Director of the Law Library and Professor of Law at the University of Kentucky (1997-2001). He had previously served as Director of the Law Library, CIO, and Associate Professor of Law at Kentucky from 1994 to 1997. During 1988 to 1994, he was affiliated at the University of Mississippi as Head of Public Services, and assumed the position of Director of the Law Library and Assistant Professor of Law in 1991. Prior law library service includes work in Oklahoma, Texas, and California.

Professor Cihak has presented numerous state, regional, and national programs dealing with library and information technology issues. He has written extensively on topics dealing with library management, and marketing. His 2002 book, *Leadership Roles For Librarians*, has been designated an American Association of Law Libraries Series Publication. He served as President of the Southeastern Chapter of the American Association of Law Libraries in 2001-2002.



## Carl J. Circo, B.A., J.D.

### Assistant Professor of Law

Carl Circo received his B.A. in Philosophy and his J.D. from the University of Nebraska. Following law school, he served as law clerk to Chief

Judge Warren Urbom of the United States District Court for the District of Nebraska. For the 1978-79 academic year, he was Visiting Assistant Professor of Law at the University of Nebraska College of Law, and then he was an Assistant Professor of Law at the Benjamin N. Cardozo School of Law in New York City, where he taught Property, Criminal Law and Mental Health Law. He also taught Real Estate Transactions and International Aspects of Real Estate Transactions as an Adjunct Professor of Law at the University of Missouri-Kansas City School of Law.

He is admitted to practice in Nebraska, Missouri and Kansas. For over twenty years, he practiced with a large Midwestern law firm; he became a partner in that firm in 1986. Early in his career as a practicing attorney, he was a member of his firm's litigation department. Subsequently, he devoted most of his time to real estate and business transactions and construction law. Beginning in 1995 and continuing through the remainder of his active practice, he was listed in Woodward/White's The Best Lawyers in America.

He has spoken frequently at local and national bar association seminars and is a member of the American College of Real Estate Lawyers. He served terms as the President of the Kansas Bar Association's Real Property, Probate and Trust Law Section and as Chair of an American Bar Association committee on Design and Construction Law. He is currently a member of the Diversity Committee of the American Bar Association's Real Property, Probate and Trust Law Section. His recent publications include articles on construction and design law and real estate transactions. He joined the faculty of the University of Arkansas School of Law in 2003 and teaches Decedents' Estates, Construction Law and Real Estate Transactions.



## Kim Flanery Coats, B.S., J.D.

### Clinical Associate Professor of Law

Kim Flanery Coats has been teaching Legal Research and Writing at the University of Arkansas School of Law since 1996. Between 1993 and 1996, she worked as in-house counsel for The Samson Companies, an independent oil and gas company in Tulsa, Okla. She worked as an



associate attorney with the commercial litigation firm of Linn & Helms in Oklahoma City between 1991 and 1993. Professor Coats received her J.D. degree from Oklahoma City University School of Law in 1991 and her B.S. degree from Arizona State University in 1981.



## **Uche Ewelukwa, LL.B., LL.M., LL.M., S.J.D.**

### **Assistant Professor of Law**

Professor Ewelukwa joined the Law School faculty in 2001 to teach in the areas of intellectual property law and international law. She teaches Intellectual Property Law, Business and Commercial Torts, International Trade Law, International Business Transactions, and a special seminar on Terrorism, National Security and Human Rights.

Professor Ewelukwa has an extensive and impressive record of publications, professional service, and teaching. She has taught at the University of Oklahoma College of Law, DePaul University College of Law, and at the American University of Armenia in Yerevan, Armenia. Professor Ewelukwa has received numerous awards and fellowships for her work, including an Orville Shell International Human Rights Fellowship from Human Rights Watch, the largest human rights organization in the United States, and a fellowship award from the Albert Einstein Institution for Non-Violent Sanctions.

Professor Ewelukwa graduated in the top one percent of her class with a law degree from the University of Nigeria. She went on to obtain a diploma in International and Comparative Human Rights Law from the International Institute of Human Rights in Strasbourg, France. She later earned a Master of Laws (LL.M.) degree in International Business Law from University College London and another Master of Laws (LL.M.) degree in International Law from Harvard Law School. In the spring of 2003, she received her doctorate degree (S.J.D.) from Harvard University. Also in 2003, she was selected as one of five 2003-2004 Carnegie Council fellows by the Carnegie Council on Ethics and International Affairs.

## **Janet A. Flaccus, B.A., M.A., J.D., LL.M.**

### **Professor of Law**

Janet Flaccus has taught at the Law



School for 20 years, largely in the commercial law area, including classes in Bankruptcy, Chapter 11 Business Reorganizations, Negotiable Instruments, Secured Transactions, Sales and Leasing Transactions, and Contracts. She also teaches Domestic Relations.

Recent writings have focused on bankruptcy and secured transactions issues, including articles on rules regulating attorney's fees in bankruptcy and disgorgement that arises for noncompliance. She has served as a draftsman for the National Conference of Bar Examiners drafting contracts questions for the multistate bar exam.

Professor Flaccus practiced law in Champaign-Urbana, Ill., for five years and joined the faculty at the University of Arkansas in 1984. She has been a visiting professor at the University of Illinois School of Law. She received her undergraduate degree from Wheaton College, her J.D. from The University of California at Davis, and her graduate law degree at The University of Illinois.



## **Sharon Foster, B.A., J.D., LL.M.**

### **Clinical Associate Professor of Law**

Sharon E. Foster joined the Law School faculty in 2000. Prior to her arrival, she had been an adjunct professor at Loyola Law School, in Los Angeles since 1998. She teaches in our legal research and writing program and has also offered courses in international legal research and international finance. She also coaches our Jessup International Law Moot Court team.

Between 1987 and 2000, she was in private practice in Los Angeles, Calif., with a focus on construction law and international law. Recent writings have been in the area of international law.

Professor Foster received her B.A. from the University of California at Los Angeles in 1983, her J.D. from Loyola Law School in 1987, and her LL.M. in 1997 from the University of Edinburgh, where she is currently a doctoral candidate.



## **Morton Gitelman, J.D., LL.M.**

### **Distinguished Professor of Law**

Morton Gitelman joined the faculty in 1965, after teaching at the University of Denver College of Law and Duke University

School of Law. He has taught many courses in the curriculum, including Constitutional Law, Conflict of Laws, Education Law, and Social Legislation.

Currently he teaches in the areas of Land Use Law, Advanced Evidence, and Legal History. He is the co-author of a leading law school casebook on Land Use, now in its sixth edition. He has also authored a casebook on Advanced Evidence and is a co-author of Arkansas Rules of Evidence.

Professor Gitelman has authored well over 30 law review articles, and has been a regular lecturer in Continuing Legal Education programs. He has taught as a visiting professor at the University of Illinois College of Law. In 1978, he received the Distinguished Award in Teaching presented by the Arkansas Alumni Association. He is an elected member of the American Law Institute and is a member of the Selden Society, the Osgoode Society, the Irish Legal History Society, and the Society Jean Bodin (for the study of comparative legal institutions).

From 1991 to 1998, Gitelman served as the school's Associate Dean for Academic Affairs.



## **Carol R. Goforth, B.A., J.D.**

### **Associate Dean for Academic Affairs**

### **Clayton N. Little Professor of Law; Inaugural Professor, Clinton School of Public Service**

Carol Goforth is the current Associate Dean for Academic Affairs at the School of Law. She is committed to helping the Law School maintain its student-centered approach, and maintains an open-door policy in furtherance of that objective. In addition to her administrative responsibilities, she continues to teach and remains committed to scholarship.

She is a former Arkansas Bar Foundation Professor of Law, and now serves as the Clayton N. Little Professor of Law, a position she was awarded in 2000. She is a 1984 graduate of the School of Law, graduating at the top of her class. She practiced law for five years in a Tulsa, Oklahoma firm, specializing in corporate and commercial transactions. She then became a full-time professor of law at Seton Hall University School of Law in New Jersey, where she focused on business organizations, corporate finance, securities regulation and related subjects. In 1993, Professor Goforth returned to Northwest Arkansas, joining the faculty at the School

of Law. She has taught most of the business entity-oriented courses at the school, including Advanced Corporations, Business Organizations, Business Planning, Corporate Finance and Securities Regulation.



She is the author of many publications dealing with a wide variety of subjects, including articles which focus on limited liability companies (LLCs) and limited liability partnerships (LLPs), various securities law issues, the ethical duties of lawyers who practice in limited liability entities, the intersection of race and law, the regulation of cell towers and the regulation of antibiotics in livestock feed. In 1999, she was elected to the prestigious American Law Institute, which consists of eminent federal and state judges, distinguished lawyers and respected law professors.

## Rafael Guzman, B.A., LL.B.

### Professor of Law

Rafael Guzman teaches Criminal Law and Evidence. He has served on numerous state and national commissions and committees in the areas of Criminal Law and Evidence. Professor Guzman lectures throughout the country to recent law school graduates to assist them in their preparation for the bar examination. He is a member of the national legal honor society, The Order of the Coif.



He received his B.A. from Dayton University, and his LL.B. at George Washington University. He was admitted to practice in the District of Columbia in 1964.

## Donald P. Judges, B.A., J.D., Ph.D.

### Ben J. Altheimer Professor of Legal Advocacy; Adjunct Professor of Psychology

Professor Judges brings a diverse range of academic and professional interests to the Law School. He has taught courses in Constitutional Law, Law and Mental Health Systems, Civil Rights, Criminal Procedure, Jurisprudence, Evidence, and Torts. His primary research interests involve the interdisciplinary application of psychological theory to a variety of substantive areas. He has pub-

lished a number of substantial articles, including works dealing with the social psychology of capital punishment, the relationship between the psychology of risk preference and tort law, authoritarianism and the feminist anti-pornography movement, eyewitness evidence, relational feminism and abortion rights, and the relationship between the affirmative action debate and disadvantaged neighborhoods. He is also the author of a book on the conflict over abortion rights.

Professor Judges' undergraduate degree in psychology is from Johns Hopkins University. He graduated with highest honors from University of Maryland School of Law in 1983, where he was editor-in-chief of the *Maryland Law Review*, served as an Asper Fellow with Judge Patricia Wald on the United States Court of Appeals for the District of Columbia Circuit, was a member of Order of the Coif, and received numerous awards for academic achievement.

Following graduation, Professor Judges clerked for Judge Alvin B. Rubin on the United States Court of Appeals for the Fifth Circuit. He then practiced law with Arnold & Porter, where his work included securities



litigation, Indian law, real estate, bankruptcy, and legislative projects involving the accounting profession.

He joined the faculty in 1989. In 1999, he received his doctorate in Clinical Psychology from the University of Tulsa. Professor Judges serves as Reporter to the Arkansas Supreme Court Committee on Jury Instructions (Civil) and as a member of the National Institute of Justice's Technical Working Group on Digital Evidence in the Courtroom. He is actively involved with local law enforcement agencies in a variety of capacities, including as a Certified Law Enforcement Instructor, Crisis Negotiator, and Part-Time II Officer.

In his capacity as Ben J. Altheimer Professor of Legal Advocacy, Professor Judges oversees the School of Law's exceptionally strong advocacy skills program, which includes intramural and interscholastic competitions in appellate advocacy, trial advocacy, client counseling, and negotiations.

## Christopher R. Kelley, B.A., J.D., LL.M.

### Associate Professor of Law

Christopher Kelley teaches primarily in the Graduate Program in Agricultural Law although he also teaches courses for our J.D. students from time to time. Before joining

"One of the best things about teaching at the University of Arkansas School of Law is the warmth of the Law School community. I really enjoy my interactions with the students both inside and out of the classroom. Over the years it has been gratifying to watch students grow and to help them achieve their professional goals. I look forward to seeing them at various bar functions and learning of the new developments in their lives. I hope that I have enriched their lives even half as much as much as they have mine."



Professor Cynthia Nance

the faculty in 1998, Professor Kelley practiced law in both the public and private sectors, including with Arent Fox Kintner & Kahn in Washington D.C., and Linquist & Venum P.L.L.P. in Minneapolis, Minnesota. He is currently Of Counsel to a Georgia law firm.



Professor Kelley has also taught at the William Mitchell College of Law, the University of North Dakota School of Law, the University of South Dakota School of Law, and the Drake University School of Law Summer Agricultural Law Institute. He received his B.A. from Louisiana State University, his J.D., with honors, from the Howard University School of Law and his LL.M. in Agricultural Law from the University of Arkansas School of Law. He is admitted to practice in Arkansas, Georgia, Minnesota, North Dakota, and the District of Columbia.

## **Ann M. Killenbeck, B.A., M.A., J.D., Ph.D.**

### **Clinical Associate Professor of Law**

Ann M. Killenbeck joins the full-time faculty this fall as a member of the LRW faculty. She has previously taught as a visiting professor, an adjunct professor, and in the early 1990's, served as Co-Director and Director of the LRW program which was then in existence here.



Professor Killenbeck holds both a B.A. and M.A. in English from the University of Nebraska. She received her J.D. from the University of Nebraska and Ph.D. in Public Policy and Higher Education from the University of Michigan.

Following her studies at Nebraska, Ann held a judicial clerkship with Chief Justice William C. Hastings of the Nebraska Supreme Court. She then taught legal writing at the Law School for four years, and in addition, ran the Continuing Legal Education program and served as Interim Director of Alumni Relations.

Ann pursued her doctorate at the University of Michigan, where she also participated as a research associate in many major grants. For instance, she assisted in developing retention models for participating Historically Black Colleges in the Third Black College Program sponsored by Pew Charitable Trusts. Her dissertation, in turn,

focused on whether a racially diverse educational environment actually affects the educational outcomes of first year law students, an issue of considerable importance given the recent litigation involving affirmative action and diversity at the University of Michigan.

## **Mark R. Killenbeck, A.B., J.D., Ph.D.**

### **Wylie H. Davis Distinguished Professor of Law**

Mark Killenbeck received his undergraduate education at Boston College, where he majored in English literature, a subject he subsequently taught at the University of Kansas. He earned both his J.D. and a Ph.D. at the University of Nebraska, where he spent 13 years in a variety of administrative positions in the University System's Central Administration.

Professor Killenbeck has been at the Law School since 1988. He teaches Constitutional Law, the First Amendment, Legal History, and Federal Jurisdiction, and is the author of numerous books, articles and papers, with a special interest in federalism and American constitutional history.



## **Judith Kilpatrick, B.A., J.D., LL.M., J.S.D.**

### **Associate Professor of Law**

Judith Kilpatrick teaches in the practical skills curriculum: Interviewing, Counseling and Negotiation (ICN); Business Planning; Mediation in Practice; Advanced Mediation Clinic; and Solo Practice Planning (SoloPrac). The courses all are taught in a "how to do it" manner, using roleplays, simulations, and other exercises. They all have limited enrollments. Her writing has focused on the legal profession, particularly the increasing specialization by attorneys, and short practical guides to problem areas of law practice. Her most recent publication is a study of the role of African-American lawyers in Arkansas before 1950. She is now working on a biography of Wiley Austin Branton, one of the school's first African-American graduates and an active participant in civil rights issues between 1953 and 1988. A preliminary article on his work to expand voting rights in the South will be published in the UALR Law Review in Summer 2004.

Professor Kilpatrick practiced law with a San Francisco litigation firm for approximately four years after admission to the California bar. Thereafter, she worked for 10 years providing continuing legal education programs

on trial practice to California lawyers. During that time, she also was active as a judge in California's then-voluntary lawyer disciplinary system. Her proudest act as a adult has been to quit working and spend a year in Paris, which she did in 1989-1990 and thoroughly enjoyed. She spent three summers, 1991, 1992, and 1994, teaching U.S. contract and corporation law and negotiation to French lawyers. Before arriving in Arkansas, she taught legal writing and research at New York University for three years. She has been on the faculty at this school since 1994.



## **Robert Laurence, B.Sc., M.Ed., J.D., LL.M.**

### **Robert A. Leflar Distinguished Professor of Law**

Professor Laurence is the author of several publications on Debtor-Creditor Relations and American Indian Law. He received his undergraduate degree in mathematics at Ohio State University, a master's degree in education at the University of Alberta, and his J.D. magna cum laude at the University of New Mexico. He received a graduate law degree from the University of Illinois, where he was a teaching fellow. He was assistant professor of law at the University of North Dakota, and a visiting assistant professor of law at Florida State University. He spent several years teaching as an adjunct professor at the Külkerskedelmi Foiskola (College for Foreign Trade) in Budapest, and has a long-standing relationship with the American Indian Law Center in Albuquerque. Prior to his legal career, Professor Laurence was a high school mathematics teacher.



Professor Laurence teaches principally in the area of commercial law.

## **Professor Robert B Leflar, A.B., J.D., M.P.H.**

### **Arkansas Bar Foundation Professor of Law; Adjunct Professor, University of Arkansas for Medical Sciences, College of Medicine and College of Public Health**

Professor Leflar's teaching and research center on torts, health law, and related fields. He teaches first-year torts, as well as upper-level courses and seminars in products liability, health law and policy, bioethics and law, and defamation and privacy. He writes about comparative international law, particularly

regarding Japan.

Professor Leflar has been awarded several fellowships for study in Japan: a Fulbright grant; a Japan Foundation fellowship; and, most recently, a grant by the Social Science Research Council's Abe Fellowship Program for a research project comparing medical quality control in Japan and the U.S. He has lectured, often in Japanese, at Tokyo University and other universities in Japan, as well as at Harvard, Penn, and several international conferences. He has published articles about Japan in American, Japanese, and European journals.

A native of Fayetteville, Leflar received bachelor's, J.D., and Master of Public Health degrees from Harvard University. Prior to law teaching, he clerked for Judge George Edwards (U.S. Court of Appeals, 6th Circuit) and was staff attorney for Public Citizen Health Research Group in Washington. He is a member of the bar of Arkansas, D.C., and the U.S. Supreme Court. A devoted baseball fan, he is active in various public interest organizations, such as the Arkansas Chapter of the Sierra Club.



## **Mary Elizabeth Matthews, B.S., J.D.**

### **Professor of Law**

Mary Elizabeth Matthews received her undergraduate and J.D. degrees at the University of Arkansas and was admitted to practice in Arkansas in 1978. She has been in private practice and has taught at the University of Arkansas School of Law since 1978. She joined the faculty as an Assistant Professor in 1986 and became a full Professor in 1996.

Professor Matthews primarily teaches courses in the commercial and corporate law curriculum - Contracts, Negotiable Instruments, and Business Organizations. Her research interests include credit cards, shareholder derivative suits, and limited liability companies.



## **James K. Miller, B.S.B.A., J.D.**

### **Associate Dean for Students**

James Miller joined the Law School in 1976. He received his B.S.B.A. in 1965 from the University of Arkansas and his J.D. from the University of Arkansas School of Law in

1976.

A Danville, Ark., native, Miller taught journalism and social studies in the Dardanelle, Ark., school system before returning to the University to study law. He became Assistant Dean in 1976 and was named Associate Dean for Students in 1995.

## **Robert B. Moberly, B.S., J.D.**

### **Professor of Law and Dean Emeritus**

Professor Moberly received his B.S. degree in economics and his J.D. from the University of Wisconsin. Before coming to Arkansas, he was Trustee Research Fellow and Professor of Law at the University of Florida, where he served as Director of the Institute for Dispute Resolution. Additional appointments included visiting professorships at the University of Illinois, the University of Louvain, Belgium, and the Polish Academy of Sciences. He has written extensively in the areas of labor law and alternative dispute resolution, co-authoring two books and publishing more than 30 articles, some of them award-winning.

Professor Moberly's public service credits include Chair of the Alternative Dispute Resolution Section of the American Association of Law Schools, 1997; Chair of the AALS Labor Law Section, 1989-90; and Executive Board, U.S. Branch of the International Society for Labor Law and Social Security, 1989-92. He was the principal drafter of mediator ethical standards adopted by the Florida Supreme Court. He is a member of the National Academy of Arbitrators and the Association for Conflict Resolution, as well as the Arkansas, Tennessee and Wisconsin Bar Associations.

Professor Moberly teaches courses in alternative dispute resolution and labor arbitration. He serves as co-advisor of the student Employment and Labor Law Society.

## **Michael W. Mullane, B.A., J.D.**

### **Director of the Legal Clinic and Professor of Law**

Professor Mullane was named Director of the Legal Clinic and Professor of Law in 1999. Prior to joining our faculty, he had been a member of the University of Maine School of Law faculty since 1987 where he was appointed director of the Cumberland Legal Aid



Clinic in 1988.

Professor Mullane was a practicing trial lawyer with Jennings, Strouss, and Salmon in Phoenix, Ariz., for 15 years before joining the faculty of the Maine School of Law. His practice was primarily focused on civil trial representation, including professional malpractice, construction claims, insurance, product liability, tort, and commercial litigation. In the University of Arkansas School of Law Clinic, third-year law students are specially licensed to represent financially eligible clients in a wide variety of civil, criminal and family law cases. In addition to supervising in the clinic, Professor Mullane teaches in criminal law, evidence, and other advocacy-related courses. He also coaches the University of Arkansas School of Law traveling teams in the National Trial Competition.

Professor Mullane earned his bachelor's degree from the University of Notre Dame in 1964. He spent the next five years as a carrier-based attack pilot with the U.S. Navy before returning to Notre Dame Law School, where he earned his juris doctor degree.



## **Cynthia E. Nance, B.S., M.A., J.D.**

### **Associate Professor**

Professor Nance holds a Juris Doctorate with distinction and Masters of Arts in Finance from the University of Iowa and has completed the course work for a Ph.D. in Industrial Relations (also from Iowa). Prior to entering law teaching Nance worked as a Labor Educator at the University of Iowa Labor Center. Her teaching and research areas include labor and employment law as well as torts. She has been invited to present on academic panels at Yale University, University of Illinois, Darussalam, Brunei, and Singapore.

She is a member of Phi Delta Phi, the Legal Honor Fraternity and a member of the W.B. Putman American Inn of Court. Nance was recognized in 2003 as Northwest Arkansas Woman of Distinction, Northwest Arkansas Martin Luther King Individual Achievement Award recipient, and was selected for inclusion in Who's Who in America, the 2004 edition. She is an Executive Board member of the Interfaith Committee for Worker Justice and a Steering Committee member of the



Northwest Arkansas Workers Center. She is past president of the American Association of Law Schools (AALS) Employment Discrimination and Labor and Employment Law Sections.

Nance is licensed in Iowa and is a member of the American, Arkansas and Washington County Bar Associations. She serves on the Arkansas Bar Association's Jurisprudence and Law Reform Committee, Commission on Diversity and Lawyer Assistance Program Committee. Professor Nance is also plaintiff's co-chair of the American Bar Association Labor and Employment Law Section, Ethics and Professionalism Committee and Chair of the Law School Admissions Council's Finance and Legal Affairs Committee and a Board member of that organization. She is a co-chair of the Greensboro Truth and Reconciliation Project National Advisory Committee and a Vice-Chair of the Evangelical Lutheran Church's Advisory Committee on Corporate Social Responsibility.

At the University of Arkansas, Nance serves on several committees within the Law School and the broader university community. She is Faculty Advisor to the Kappa Iota Chapter of Alpha Kappa Alpha Sorority, Inc, the search committee for the Associate Vice Chancellor for Institutional Diversity and Education and Advisor to the Black Law Student's Association. Nance also chairs the Law School's Community Life Committee, and serves on the Substance Abuse and Mental Health Committee, Graduation Committee and the Faculty Recruitment Committee. She is a member of Good Shepherd Lutheran church where she serves on the Social Ministry Committee, and as a reader, and greeter, has taught Sunday School and served on church council.

## Phillip E. Norvell, B.A., J.D.

### Professor of Law

Phillip Norvell teaches in the Property and Natural Resources area of the curriculum. He also teaches Antitrust law. His scholarly activities have focused on Oil and Gas law. He has lectured before numerous national and state mineral law institutes on oil and gas, and water law. His most recent writings have focused on mineral conveyancing and facilitating the development of oil and gas



resources. He also has served the Natural Resources Section of the American Bar Association and the Rocky Mountain Mineral Law Foundation in an editorial capacity. Professor Norvell was a member of the Arkansas Oil and Gas Commission from 1987-1996. He has served as a member of the Board of Editors of the *Oil & Gas Reporter* (Matthew Bender) since 1981.

Professor Norvell graduated from the University of Oklahoma (B.A.) and the University of Oklahoma School of Law in 1973 (J.D.), where he was a member of The Order of the Coif and The Order of the Barristers. He practiced law as an antitrust trial attorney with the Bureau of Competition of the Federal Trade Commission (Washington, D.C.) prior to joining the faculty.

## Kathryn A. Sampson, B.A., J.D.

### Clinical Associate Professor of Law

Kathryn Sampson joined the University of Arkansas School of Law's research and writing faculty in 1993, after teaching in a similar capacity at Mercer University School of Law in Macon, Ga., from 1990-93 and clerking for the Second Judicial District of Iowa from 1989-90. She is a 1989 graduate of the University of Iowa College of Law and a 1982 English and Journalism graduate of the University of Northern Iowa.

Professor Sampson has been teaching composition, rhetoric and analysis since 1980 in various capacities - as a student writing specialist, language arts teacher, and faculty member in two research and writing programs. Since 1993, she has coached 16 Arkansas moot court teams, members of which have collectively advanced three times to the final rounds of the National Moot Court Competition, won four best oralist awards, two best brief awards, and advanced eight times out of preliminary rounds, with three teams winning competition trophies.

Professor Sampson has published several articles on topics ranging from will contest litigation to ethics in legal research and writing. Since 1998, she has maintained a website with design features useful to both law students and to practicing attorneys. Professor Sampson's website is located at <http://comp.uark.edu/~ksampson>.



## Susan A. Schneider, B.A., J.D., LL.M.

### Associate Professor of Law; Director of the Graduate Program in Agricultural Law

Susan Schneider teaches in the Graduate Program in Agricultural Law and serves as Director of the Program. Her primary teaching and research interests are agricultural finance, farm bankruptcy and agricultural labor law.

Prior to joining the faculty, Professor Schneider's experience included agricultural law work with firms in Arkansas, Minnesota, North Dakota and Washington, D.C. She taught agricultural law and related subjects at William Mitchell College of Law and at the Drake University Summer Agricultural Law Institute. She also served as a staff attorney at Farmer's Legal Action Group, Inc., and at the National Center for Agricultural Law Research and Information. Professor Schneider has published numerous articles on agricultural law subjects including farm finance, agricultural bankruptcy, groundwater contamination, farm program payments, and women in agriculture. She serves as President of the American Agricultural Law Association (AALA).

Professor Schneider is a graduate of the College of St. Catherine (B.A. 1982) (Phi Beta Kappa, Pi Gamma Mu), the University of Minnesota School of Law (J.D. 1985) (Cum Laude), and the University of Arkansas School of Law (LL.M., Agricultural Law 1990).



## Terry Jean Seligmann, B.A., J.D.

### Associate Professor of Law; Director of Legal Research and Writing Program

Terry Jean Seligmann joined the Law School in 1997 as Director of Legal Research and Writing. She previously taught at Suffolk University School of Law.

Following her graduation from New York University Law School, she was law clerk to the Hon. W. Arthur Garrity, Jr. of the United States District Court for the District of Massachusetts. She practiced civil litigation as an Assistant Attorney General in Massachusetts, and with both large and small law firms in Boston. She also served as Staff Counsel to the



Supreme Judicial Court of Massachusetts. She was President of the Women's Bar Association of Massachusetts, and served on ethics panels for the bar and the court.

Professor Seligmann is the President of the Legal Writing Institute, a national organization supporting excellence in legal writing. She is a member of the Arkansas Bar Association and has taught Continuing Legal Education programs on legal writing for the Arkansas bar. She has written on legal research and writing curriculum and on special education law. She teaches legal research and writing, drafting, education law and special education law. In 2003, she served as a faculty member in the Law School's summer program in Cambridge, England. Professor Seligmann plays flute with the Arkansas Winds.

## Stephen M. Sheppard, B.A., J.D., Cert. Int'l L., LL.M., M.Litt.

### Associate Professor of Law

Professor Sheppard began his teaching career at the University of Arkansas School of Law as a legal writing instructor in 1992. He spent several years thereafter teaching at the Thomas M. Cooley Law School in Michigan and researching as a graduate fellow at Columbia University before returning permanently to Fayetteville in 2001. He now teaches international and environmental law, jurisprudence, legal history and other common law courses. He is a faculty adviser to the International Law Society, the Environmental Law Society, and the H.L.A. Hart Society, and a member of the university core faculty in Public Policy.



Among his publications are numerous articles in legal philosophy and history and several books in legal history, including his two-volume collection, *The History of Legal Education in the United States*; his documentary editions on the foundations of the common law, including *The Selected Writings of Sir Edward Coke*, published in 2004. His work with George Fletcher, *American Law in Global Perspective: The Basics* will be published by Oxford University Press in 2004. Professor Sheppard has also written scholarly articles for reference works, including the *UNESCO Encyclopedia of Life Support Systems and the Dictionary of American History*.

A graduate of the University of Southern Mississippi (B.A. 1985), Columbia

University (J.D. 1988, Cert. Int'l. L. 1988, LL.M. 2001) and Oxford University (M. Litt. 1999), Professor Sheppard is a candidate for the J.S.D. at Columbia and is submitting his dissertation on *The Moral Obligations of Legal Officials*. He has also worked as an associate with Phelps Dunbar in its Louisiana, Mississippi, and London offices, and served as a law clerk to Judge William Barbour, Jr. (U.S. District Ct. S.D. Miss.) and to Judge E. Grady Jolly Jr. (U.S. Ct. App. 5th Cir.).

## Tim Tarvin, B.A., J.D.

### Clinical Associate Professor of Law

Tim Tarvin teaches Federal Practice Clinic and General Practice Clinic. Professor Tarvin has practiced law for more than 25 years. During that time he served as deputy prosecuting attorney, bankruptcy trustee, juvenile judge, and municipal judge before joining the Law School faculty in 1993.

He is a former member of Arkansas Trial Lawyers Association, Arkansas Municipal Judges Association and American Judges Association. Professor Tarvin has lectured at the National Conference for Computer-Assisted Legal Instruction concerning the academic use of case management and document assembly software, expert systems and the Internet. He has spoken as a panelist and presenter at the national conference of the Clinical Section of the American Association of Law Schools and serves on the Legal Services Committee and the Technology Committee of the Arkansas Bar Association.

Professor Tarvin has received the Association's Certificate of Recognition for service to the public and profession. He is a former Director and Vice President of the Arkansas Bar Foundation and served on the Subcommittee on Special Projects. He is admitted to practice before the Arkansas Supreme Court, U.S. Court of Appeals for the Eighth Circuit and U.S. District Courts in Arkansas, Oklahoma and Texas. Professor Tarvin is a member of the Arkansas Volunteer Lawyers for the Elderly and the American Bar Association. He is a graduate of Hendrix College and the University of Arkansas School of Law.



## John J. Watkins, B.J., M.A., J.D.

### William H. Enfield Professor of Law

Professor Watkins joined the faculty in

1983 and is on leave for 2004-05. His principal courses have been in the area of civil procedure, freedom of information and mass media law. Prior to teaching, he practiced law with the firm of Arnold & Porter in Washington, D.C., and was law clerk to the late Judge Homer Thornberry of the U.S. Court of Appeals for the Fifth Circuit.

An honors graduate of the University of Texas School of Law, Professor Watkins is the author of three books and numerous law review articles. In 2002, he was recognized by the Arkansas Bar Association for "distinguished service to the legal profession."



## Albert M. Witte, Ph.B., M.A., LL.B.

### Professor Emeritus

Professor Witte obtained his Ph.B. and M.A. from the University of Chicago. Prior to attending law school, Al Witte taught English Literature for several years at Ripon College in Wisconsin. Following his graduation from the University of Wisconsin School of Law, where he was elected to the Order of the Coif, he practiced law in Milwaukee.

Professor Witte joined the faculty of the University of Arkansas Law School in 1957 and, except for a brief stint at Emory University in the 1960s, he remained a member of that faculty until his retirement in 1994. Since then he has served from time to time as an adjunct professor on the faculty. During his early years here, he taught a variety of courses as was then the custom.

His main interests during his later years of service, however, were in contracts and constitutional law. After his retirement, he has regularly taught a seminar in Law and Literature and a course in Sports Law.

In addition to his teaching duties, Professor Witte actively represented the University of Arkansas in the various intercollegiate athletic associations to which it has long been a member. Additionally, during the 1970s and 1980s, he served as a deputy Arkansas Attorney General on a number of projects relating to that office, as well as acting as consultant to both the Arkansas Public Service Commission and the Southern Governors Association.





## Adjunct and Visiting Faculty

In addition to the full-time and emeritus faculty members described on the preceding pages, the University of Arkansas School of Law also takes advantage of other legal talent by offering specialized electives, which are taught by adjuncts and visiting faculty members. In recent years, the School of Law has utilized the teaching talents of a number of outstanding practitioners who live and work in Arkansas, as well as renowned teachers and scholars from across the country and, on occasion, from other countries.

Our adjuncts are well-respected current or former members of the practicing bar, who are particularly well-versed in their areas of expertise. Our students have learned from judges, former and current prosecuting attorneys and public defenders, lawyers who act as in-house counsel for public companies, lawyers from legal services and other agencies charged with providing services to the poor, lawyers with private firms or in solo practice, and lawyers with experience in various types of government service. The pool of adjuncts changes from year to year, but there is a thriving legal community in the state, which the Law School can call upon to further enrich our curriculum.

In our trial advocacy program, for example, we have regularly relied on the teaching assistance of Deniece Cleary, Deputy Prosecutor for Washington County; Denny Hyslip, Public Defender; W. Marshall Prettyman, Director of Litigation Services for Legal Aid of Arkansas; and John Threet, Chief Deputy Prosecutor for Washington County. We have also used adjunct professors to offer specialized electives that would not otherwise be available for our students.

To give you a little better idea about the caliber of our adjuncts, we have picked a handful to highlight here.

### John M. Norwood, J.D., M.B.A., C.P.A.

#### Adjunct Professor of Law

Professor Norwood, a tenured member of the faculty at the Walton College of Business and director of the Walton College Honors Program, is one of our distinguished adjunct faculty members. He earned his



J.D. from Tulane Law school, and his M.B.A. from L.S.U. He is the recipient of numerous teaching awards, including Walton College Outstanding Teacher of the year, and the Southern Academy of Legal Studies in Business "Educator of the Year." He teaches *Accounting for Lawyers* and *Law and the Internet* at the Law School.

### Jake Looney, B.S.A., M.S., J.D., M.S.

#### Distinguished Professor Emeritus

Jake Looney holds a B.S.A. from the University of Arkansas, two M.S. degrees (one in animal science and one in agricultural economics) from the University of Missouri-Columbia, and a J.D. from the University of Missouri-Kansas City.

Professor Looney practiced law in Mena, Ark., and taught at the University of Missouri, Virginia Tech and Kansas State University before joining the law faculty in 1980 as founding director of the Graduate Program in Agricultural Law. He served as Dean of the School of Law from 1982-90 and was named distinguished professor in 1996. In 1998, he was named as the first Wylie H. Davis Professor of Law. He has retired from full-time teaching, and currently serves as Circuit Judge of Polk County.

We are fortunate to have him as a



frequent adjunct professor in our Agricultural Law program.

### Jim Smith, J.D., LL.M., C.P.A.

#### Adjunct Professor of Law

Jim Smith earned his J.D. from this Law School in 1994, and his LL.M. (in taxation) from New York University School of Law in 1995. A partner with Friday, Eldredge and Clark, his practice areas include Mergers and Business Acquisitions, Securities Regulation, Private Placements and Public Offerings, Planning for Start Up Businesses and Emerging Companies, and Venture Capital.



He has taught a very popular small enrollment seminar on *Business Ethics in a Post-Enron World*.

### David Pieper, J.D.

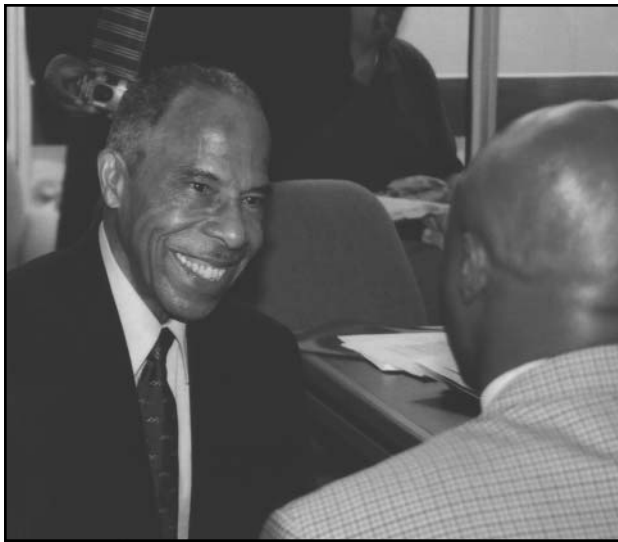
#### Adjunct Professor of Law

David Pieper is a named partner at the firm of Keisling Pieper & Scott, PLC. A patent law specialist, his practice includes work in Intellectual Property; Patents; Trademarks; Copyrights; Trade Secrets; Commercial Litigation; and Intellectual Property Litigation. He teaches *Patent Law*, which is an advanced class focusing on modern patent practice and procedure.

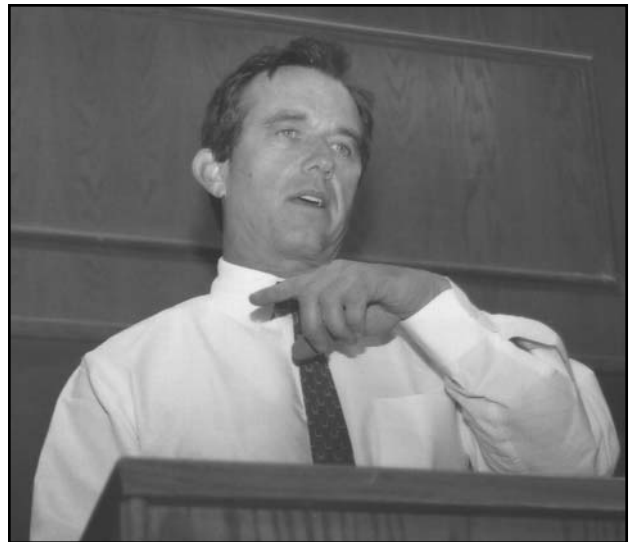


Professor Cynthia Nance talks with Phil Lyon, '67 before Lyon addressed Law School students in the spring of 2004. Lyon is president of Jack, Lyon and Jones, P.A. in Nashville, Tenn.

## Distinguished Faculty and Visitors



Former U.S. Ambassador to The Gambia George Haley ('52)



Robert F. Kennedy, Jr.

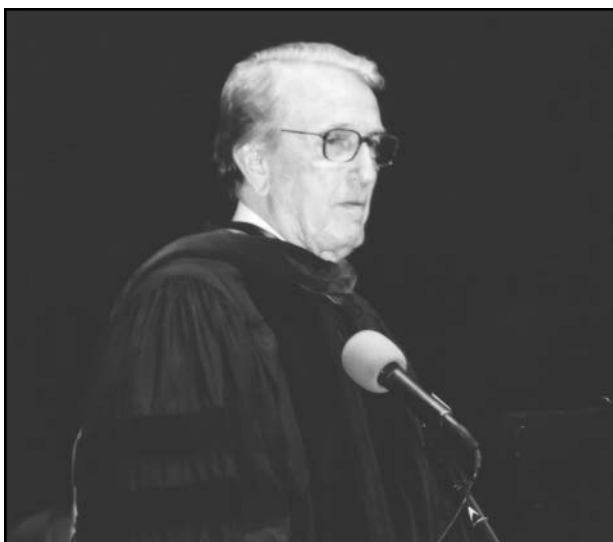
The Law School's history includes such notable professors as the nation's 42nd President William Jefferson Clinton, Senator Hillary Rodham Clinton, and the late U.S. Senators J. William Fulbright and Claude Pepper.

The school is also proud to have hosted distinguished visitors and speakers such as Daisy Bates, former U.S. Surgeon General Joycelyn Elders, U.S. Supreme Court Justice Ruth Bader Ginsburg, Rev. Jesse Jackson, former Secretary of Transportation Rodney Slater ('80), U.S. Senator Mark Pryor ('88) and former Arkansas Governor and U.S. Senator David Pryor.

In the 2003-04 academic year alone, the school hosted former U.S. Ambassador to The Gambia George Haley ('52), Robert Kennedy, Jr., two-time Pulitzer Prize winner Anthony Lewis, and Arkansas Attorney General Mike Beebe ('72). Also, former Arkansas Governor and U.S. Senator Dale Bumpers was on hand to deliver the school's keynote address at the 2004 commencement ceremony.



Former President Bill Clinton (ca. 1970s)



Former U.S. Senator Dale Bumpers speaks at the Law School's 2004 commencement.



Two-time Pulitzer Prize winner Anthony Lewis speaks in the spring of 2004.



# University of Arkansas Administration

## Board of Trustees (term expires)

Gary C. George, Chairman .....	2005
Stanley Reed, Vice Chairman .....	2008
Jane Rogers .....	2006
Charles E. Scharlau III .....	2007
James E. Lindsey .....	2009
Tim E. Hunt .....	2010
John Ed Anthony .....	2011
Carl Johnson, Assistant Secretary .....	2012
Mike Akin .....	2013
Craig Campbell .....	2014

## University Officers

### B. Alan Sugg

President of the University of Arkansas System

### John A. White

Chancellor of the University of Arkansas, Fayetteville

### Robert V. Smith

Provost and Vice Chancellor for Academic Affairs

### Donald O. Pederson

Vice Chancellor for Government, Community Relations

### Johnetta Cross Brazzell

Vice Chancellor for Student Affairs

### G. David Gearhart

Vice Chancellor for University Advancement

# University of Arkansas School of Law Calendar

## Fall 2004

August 17-20 .....	1L Orientation
August 23 .....	Classes begin
September 6 .....	Labor Day Holiday
November 24 .....	Fall break (no classes)
November 25-26 .....	Thanksgiving Holiday
December 3 .....	Last day of law classes
December 6 .....	Final exams begin
December 17 .....	Last day of final exams

## Spring 2005

January 17 .....	Martin Luther King, Jr. Day
January 18 .....	Classes begin
March 21-25 .....	Spring break
April 29 .....	Last day of law classes
May 2 .....	Final exams begin
May 13 .....	Last day of final exams
May 14 .....	University of Arkansas Commencement
May 21 .....	Law School Commencement

# Law School Administration

### Dean of the School of Law

Richard B. Atkinson, B.A., M.Div., J.D.

### Associate Dean for Academic Affairs

Carol R. Goforth, B.A., J.D.

### Associate Dean for Students

James K. Miller, B.S.B.A., J.D.

### Assistant Dean for Administration & Registrar

Rhonda Adams, B.S.E., M.Ed.

### Director of Alumni Relations

Malcolm McNair, B.A., M.A., J.D.

### Director of Development

Nancy Cozart, B.S., J.D.

### Director of Career Planning & Placement

Chris Mitchell, B.S., M.S., J.D.

### Director of Budget

Lynn Stewart, B.S., M.B.A., C.P.A.

### Communications Coordinator

Frankie Frisco, B.S.

### Assistant to the Dean

Terri Yeakley

# Contact Info

**Admissions** - Associate Dean for Students James K. Miller, (479) 575-5601; jkmiller@uark.edu

**Alumni** - Director of Alumni Relations Malcolm McNair, (479) 575-7735; mmcnaire@uark.edu

**Development** - Nancy Cozart, (479) 575-3468; ncozart@uark.edu

**Fee payment** - Student Accounts, 101 Silas Hunt Hall, (479) 575-5651

**Financial aid** - Office of Financial Aid, 114 Silas Hunt Hall, (479) 575-3806

**Law School Registrar** - Assistant Dean and Registrar Rhonda Adams, (479) 575-5612; rhonda@uark.edu

**On-campus interviewing** - Director of Career Planning & Placement Chris Mitchell, (479) 575-7644; mitchell@uark.edu

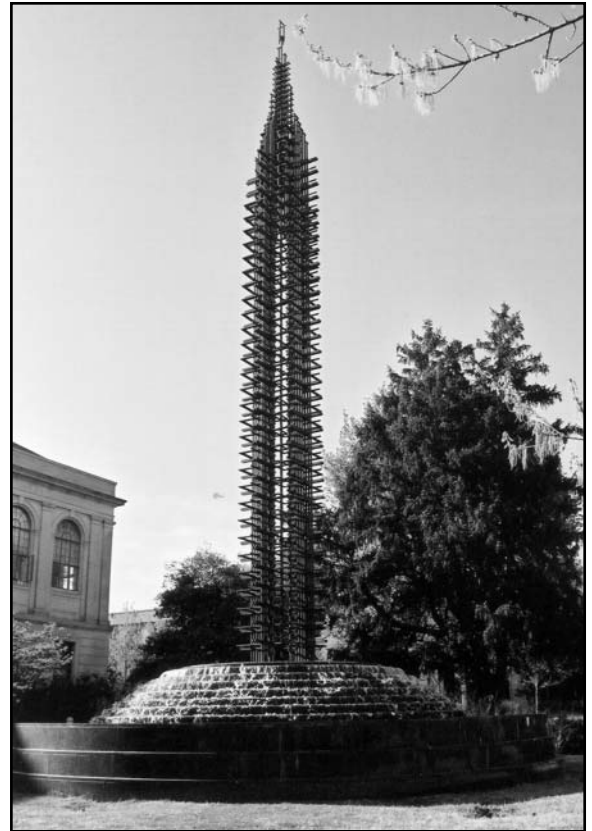
# Miscellaneous Information

# University of Arkansas History

The University of Arkansas was established at Fayetteville in 1871 and opened its doors to students on January 22, 1872. It was established under provisions of the Morrill Act as both the State University and the Land-Grant College of Arkansas. This gave the new University an academic heritage from universities of the past and the educational responsibilities associated with land grant institutions.

The location of Fayetteville for the University was determined by elections held throughout the state for the purpose of voting bonds or subscriptions to establish the University. The largest bid came from Washington County and the city of Fayetteville, for a combined total of \$130,000. To this amount and the Congressional land grant of 150,000 acres, the state added an appropriation of \$50,000 for the benefit of the institution.

The 160-acre homestead of William McIlroy was selected as the campus site and purchased for \$12,000. The McIlroy home was converted into classrooms and a new two-story frame building was constructed with one classroom on each floor. From a small beginning of eight students and three faculty members on the opening day of classes, the University of Arkansas has developed into a mature institution with eight schools and colleges. It is the major center in Arkansas for graduate-level instruction as well as basic and applied research. In addition, its public service activities reach every county in Arkansas.



The Peace Fountain sits in the heart of the UA campus.

## University of Arkansas School of Law history

The University of Arkansas School of Law was established in 1924 through the planning of Julian S. Waterman, a Pine Bluff, Ark. native, who served as the Law School's first Dean until his death in 1943. The Law School was approved by the American Bar Association in its second year of operation, 1926. Since 1927, the Law School has been a member of the Association of American Law Schools.

The primary Law School building was named for Dean Waterman in recognition of his significant contributions to legal education, the University, and the State of Arkansas. The first

graduating class, in 1927, consisted of ten men. In contrast, the graduating class of 2003 consisted of 107 students, approximately 41 percent of them women.

The Law School was housed in the basement of University Hall until 1936, when it was moved - aided by law students who used wheelbarrows to transport the Law Library holdings - to the former Chemistry Building. Compared to the basement, the new building seemed a palace, but post-World War II enrollment overflowed it and in 1951 a new building was built on the campus' northwest side.





